continued to advance the commercial, industrial, and civic interests for the people of Patton Township.

I have had the privilege of working closely with David and the Patton Township Business Association as they advocated on behalf of small businesses in Patton Township and the Centre County region.

I thank David for his years of leadership and service to the organization, Patton Township, and Centre County. His contributions cannot be overstated, and his legacy will be remembered for years to come.

UNDENIABLE CRISIS AT OUR SOUTHERN BORDER

(Mr. VALADAO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VALADAO. Madam Speaker, what we are seeing at our southern border is an undeniable crisis. An unthinkable amount of fentanyl and fentanyl-related substances are coming across our border. There is enough fentanyl coming across our border to kill every American seven times over. Think about that.

This only exacerbates our existing drug problem in the United States, like the rising use of meth in the Central Valley of California.

In October, U.S. Customs and Border Protection apprehended over 160,000 illegal immigrants attempting to cross our southern border, the highest number of apprehensions for October on record.

I have always been supportive of immigration. After all, I am the son of immigrants. But we have to respect and enforce our laws. By refusing to enforce immigration laws, this administration is sending a dangerous message that our border is open for business to cartels and encourages people to put themselves in harm's way to cross our border.

FENTANYL CRISIS

(Mrs. BICE of Oklahoma asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BICE of Oklahoma. Madam Speaker, I rise today to address the unimaginable amount of dangerous fentanyl and related substances that are crossing our southern border, enough to kill every American seven times over.

Criminal drug cartels are capitalizing on the lack of security due to Biden's open-border policies. Since these large amounts of fentanyl are flooding in, the DEA issued its first public safety alert in 6 years, warning the public about fake pills laced with lethal doses of fentanyl, and we are seeing the devastating effects.

Synthetic opioids, primarily fentanyl, account for nearly two-thirds of the overdose deaths, including American teenagers. Many parents across our country, and including my home State of Oklahoma, have tragically lost their children to accidental fentanyl overdoses. No one should ever have to experience that sort of pain.

In February, we have the chance to respond. The emergency class-wide scheduling order for fentanyl-related substances is set to expire. Democrats want to enact only temporary extensions, while Republicans are fighting to make it permanent.

Madam Speaker, there are deadly consequences to the lack of security at the border. We must ensure law enforcement has the resources to protect our country and keep those drugs out of American hands.

CRISIS ON THE SOUTHERN BORDER

(Mr. MEUSER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MEUSER. Madam Speaker, it is no surprise to anyone here or throughout the United States that we have a serious crisis at our southern border. All anyone has to do is go visit the southern border to see the devastation, to see the death, to see the desperation, to see the drugs coming across, Madam Speaker.

Since President Biden has come into office, a record number, over 2 million illegal immigrants, have been apprehended: a 128 percent increase in apprehensions from the previous year.

And 1.7 million migrants were apprehended illegally just this year, while 400,000 illegally crossed the border and got away.

But the President and his administration halted the Trump administration's successful remain in Mexico policy, has reinstated catch-and-release, has refused to enforce title 42, and is providing incentives for illegals to come into our country through mass amnesty proposals, work visas, and driver's licenses. Okay?

This is a serious matter for every State, for my constituents, for my district. We have the highest level of overdose fatalities ever, and it is a direct result of the Biden administration policy. This needs to stop. This is a terrible situation caused by the Biden administration. I wish it would stop. We could stop it here.

HONORING THE LIFE AND LEGACY OF RALPH OWENS

(Mr. CLYDE asked and was given permission to address the House for 1 minute.)

Mr. CLYDE. Madam Speaker, I rise today to honor the life and legacy of an honorable public servant, Mr. Ralph Owens, of Lavonia, Georgia.

As a lifetime member of the Franklin County community, Ralph humbly answered the call to public service and played a critical role in the city of Lavonia's success. In 1987, Mr. Owens was first elected to the Lavonia City Council. Just two short years later, he became the mayor of Lavonia, where he dutifully served his local community for over three decades.

During his lifetime as a public official, Mayor Owens' leadership ushered in impressive industrial and economic growth to the city. From dramatically improving the city's police department, to bringing new businesses to the community, Ralph was a dedicated servant to the great people of Lavonia.

I am deeply saddened by the loss of such an accomplished individual that led with his servant's heart to truly make a positive difference in his community. Georgia's Ninth District will always remember Mayor Ralph Owens and his profound impact on the city of Lavonia and both Franklin and Hart Counties in northeast Georgia.

CONGRATULATING ELIZABETH RAFF

(Mr. SMUCKER asked and was given permission to address the House for 1 minute.)

Mr. SMUCKER. Madam Speaker, I am proud to rise today to congratulate Mrs. Elizabeth Raff of Lancaster County, who was recently named Pennsylvania's Teacher of the Year for 2022.

Elizabeth teaches sixth grade at Pequea Elementary School, in the Penn Manor School District in Lancaster County, where she has taught since 2014. Penn Manor School District Superintendent, Dr. Mike Leichliter, described Elizabeth as a ''dynamic and creative teacher who is always looking to find new ways to reach her students'' and noted that ''she creates a space where students are encouraged to explore ideas in a supportive and respectful environment.''

There is no question that teachers and students have been impacted; they have had challenges presented by the COVID–19 pandemic over the last 2 years, and we thank our teachers for all they have done to make sure that our students are receiving the best education possible.

That is certainly true of Mrs. Raff, whose classroom is well-decorated and offers students access to a large library of books to pique their interest, and a raised stage to provide students the opportunity to present to their classmates.

Thank you to Mrs. Raff for all you have done to educate students in our community. We all appreciate your efforts and wish to congratulate you on being named Pennsylvania's 2022 Teacher of the Year.

□ 1230

PROTECTING OUR DEMOCRACY ACT

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, pursuant to House Resolution 838, I call up the bill

(H.R. 5314) to protect our democracy by preventing abuses of presidential power, restoring checks and balances and accountability and transparency in government, and defending elections against foreign interference, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Ms. STANSBURY). Pursuant to House Resolution 838, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 117–20, modified by the amendment printed in part A of House Report 117–205, is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 5314

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Protecting Our Democracy Act''.

SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.

(a) DIVISIONS.—This Act is organized into divisions as follows:

(1) Division A—Preventing Abuses of Presidential Power.

(2) Division B—Restoring Checks and Balances, Accountability, and Transparency.

(3) Division C—Defending Elections Against Foreign Interference.

(4) Division D—Severability.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title.
Sec. 2. Organization of Act into divisions; table of contents.

DIVISION A—PREVENTING ABUSES OF PRESIDENTIAL POWER

TITLE I—ABUSE OF THE PARDON POWER PREVENTION

Sec. 101. Short title.
Sec. 102. Congressional oversight relating to certain pardons.
Sec. 103. Bribery in connection with pardons and commutations.
Sec. 104. Prohibition on presidential self-pardon.

TITLE II—ENSURING NO PRESIDENT IS ABOVE THE LAW

Sec. 201. Short title.
Sec. 202. Tolling of statute of limitations.

TITLE III—ENFORCEMENT OF THE FOREIGN AND DOMESTIC EMOLUMENTS CLAUSES OF THE CONSTITUTION

Sec. 301. Short title.
Sec. 302. Definitions.
Sec. 303. Prohibition on acceptance of foreign and domestic emoluments.
Sec. 304. Civil actions by Congress concerning foreign emoluments.
Sec. 305. Disclosures concerning foreign and domestic emoluments.
Sec. 306. Enforcement authority of the Director of the Office of Government Ethics.
Sec. 307. Jurisdiction of the Office of Special Counsel.

DIVISION B—RESTORING CHECKS AND BALANCES, ACCOUNTABILITY, AND TRANSPARENCY

TITLE IV—ENFORCEMENT OF CONGRESSIONAL SUBPOENAS

Sec. 401. Short title.
Sec. 402. Findings.
Sec. 403. Enforcement of congressional subpoenas.
Sec. 404. Compliance with congressional subpoenas.
Sec. 405. Rule of construction.

TITLE V—REASSERTING CONGRESSIONAL POWER OF THE PURSE

Sec. 500. Short title.

Subtitle A—Strengthening Congressional Control and Review To Prevent Impoundment

Sec. 501. Strengthening congressional control.
Sec. 502. Strengthening congressional review.
Sec. 503. Updated authorities for and reporting by the Comptroller General.
Sec. 504. Advance congressional notification and litigation.
Sec. 505. Penalties for failure to comply with the Impoundment Control Act of 1974.

Subtitle B—Strengthening Transparency and Reporting

PART 1—FUNDS MANAGEMENT AND REPORTING TO THE CONGRESS

Sec. 511. Expired balance reporting in the President's budget.
Sec. 512. Cancelled balance reporting in the President's budget.
Sec. 513. Lapse in appropriations—Reporting in the President's budget.
Sec. 514. Transfer and other repurposing authority reporting in the President's budget.
Sec. 515. Authorizing cancellations in indefinite accounts by appropriation.

PART 2—EMPOWERING CONGRESSIONAL REVIEW THROUGH NONPARTISAN CONGRESSIONAL AGENCIES AND TRANSPARENCY INITIATIVES

Sec. 521. Requirement to respond to requests for information from the Comptroller General for budget and appropriations law decisions.
Sec. 522. Reporting requirements for Antideficiency Act violations.
Sec. 523. Department of Justice reporting to Congress for Antideficiency Act violations.
Sec. 524. Publication of budget or appropriations law opinions of the Department of Justice Office of Legal Counsel.

Subtitle C—Strengthening Congressional Role in and Oversight of Emergency Declarations and Designations

Sec. 531. Improving checks and balances on the use of the National Emergencies Act.
Sec. 532. National Emergencies Act declaration spending reporting in the President's budget.
Sec. 533. Disclosure to Congress of presidential emergency action documents.
Sec. 534. Congressional Designations.

TITLE VI—SECURITY FROM POLITICAL INTERFERENCE IN JUSTICE

Sec. 601. Short title.
Sec. 602. Definitions.
Sec. 603. Communications logs.
Sec. 604. Rule of construction.

TITLE VII—PROTECTING INSPECTOR GENERAL INDEPENDENCE

Subtitle A—Requiring Cause for Removal

Sec. 701. Short title.
Sec. 702. Amendment.
Sec. 703. Removal or transfer requirements.

Subtitle B—Inspectors General of Intelligence Community

Sec. 711. Independence of Inspectors General of the Intelligence Community.
Sec. 712. Authority of Inspectors General of the Intelligence Community to determine matters of urgent concern.
Sec. 713. Conforming amendments and coordination with other provisions of law.

Subtitle C—Congressional Notification

Sec. 721. Short title.
Sec. 722. Change in status of Inspector General offices.
Sec. 723. Presidential explanation of failure to nominate an Inspector General.

TITLE VIII—PROTECTING WHISTLEBLOWERS

Subtitle A—Whistleblower Protection Improvement

Sec. 801. Short title.
Sec. 802. Additional whistleblower protections.
Sec. 803. Enhancement of whistleblower protections.
Sec. 804. Classifying certain furloughs as adverse personnel actions.
Sec. 805. Codification of protections for disclosures of censorship related to research, analysis, or technical information.
Sec. 806. Title 5 technical and conforming amendments.

Subtitle B—Whistleblowers of the Intelligence Community

Sec. 811. Limitation on sharing of intelligence community whistleblower complaints with persons named in such complaints.
Sec. 812. Disclosures to Congress.
Sec. 813. Prohibition against disclosure of whistleblower identity as reprisal against whistleblower disclosure by employees and contractors in intelligence community.

TITLE IX—ACCOUNTABILITY FOR ACTING OFFICIALS

Sec. 901. Short title.
Sec. 902. Clarification of Federal Vacancies Reform Act of 1998.

TITLE X—STRENGTHENING HATCH ACT ENFORCEMENT AND PENALTIES

Sec. 1001. Short title.
Sec. 1002. Strengthening Hatch Act enforcement and penalties against political appointees.

TITLE XI—PROMOTING EFFICIENT PRESIDENTIAL TRANSITIONS

Sec. 1101. Short title.
Sec. 1102. Ascertainment of successful candidates in general elections for purposes of presidential transition.

TITLE XII—PRESIDENTIAL AND VICE PRESIDENTIAL TAX TRANSPARENCY

Sec. 1201. Presidential and Vice Presidential tax transparency.

DIVISION C—DEFENDING ELECTIONS AGAINST FOREIGN INTERFERENCE

TITLE XIII—REPORTING FOREIGN INTERFERENCE IN ELECTIONS

Sec. 1301. Federal campaign reporting of foreign contacts.
Sec. 1302. Federal campaign foreign contact reporting compliance system.
Sec. 1303. Criminal penalties.
Sec. 1304. Report to congressional intelligence committees.
Sec. 1305. Rule of construction.

TITLE XIV—ELIMINATING FOREIGN INTERFERENCE IN ELECTIONS

Sec. 1401. Clarification of application of foreign money ban.
Sec. 1402. Requiring acknowledgment of foreign money ban by political committees.
Sec. 1403. Prohibition on contributions and donations by foreign nationals in connections with ballot initiatives and referenda.

DIVISION D—SEVERABILITY
TITLE XV—SEVERABILITY
Sec. 1501. Severability.
DIVISION A—PREVENTING ABUSES OF PRESIDENTIAL POWER
TITLE I—ABUSE OF THE PARDON POWER PREVENTION
SEC. 101. SHORT TITLE.
SEC. 102. CONGRESSIONAL OVERSIGHT RELATING TO CERTAIN PARDONS.
SEC. 103. BRIBERY IN CONNECTION WITH PARDONS AND COMMUTATIONS.
SEC. 104. PROHIBITION ON PRESIDENTIAL SELF-PARDON.
TITLE II—ENSURING NO PRESIDENT IS ABOVE THE LAW
SEC. 201. SHORT TITLE.
SEC. 202. TOLLING OF STATUTE OF LIMITATIONS.
TITLE III—ENFORCEMENT OF THE FOREIGN AND DOMESTIC EMOLUMENTS CLAUSES OF THE CONSTITUTION
SEC. 301. SHORT TITLE.
SEC. 302. DEFINITIONS.
SEC. 303. PROHIBITION ON ACCEPTANCE OF FOREIGN AND DOMESTIC EMOLUMENTS.
SEC. 304. CIVIL ACTIONS BY CONGRESS CONCERNING FOREIGN EMOLUMENTS.
SEC. 305. DISCLOSURES CONCERNING FOREIGN AND DOMESTIC EMOLUMENTS.

DIVISION A—PREVENTING ABUSES OF PRESIDENTIAL POWER

TITLE I—ABUSE OF THE PARDON POWER PREVENTION

SEC. 101. SHORT TITLE.

This title may be cited as the ''Abuse of the Pardon Power Prevention Act''.

SEC. 102. CONGRESSIONAL OVERSIGHT RELATING TO CERTAIN PARDONS.

(a) SUBMISSION OF INFORMATION.—In the event that the President grants an individual a pardon for a covered offense, not later than 30 days after the date of such pardon the Attorney General shall submit to the chairmen and ranking minority members of the appropriate congressional committees—

(1) all materials obtained or produced by the prosecution team, including the Attorney General and any United States Attorney, and all materials obtained or prepared by any investigative agency of the United States government, relating to the offense for which the individual was so pardoned; and

(2) all materials obtained or produced by the Department of Justice in relation to the pardon.

(b) TREATMENT OF INFORMATION.—Rule 6(e) of the Federal Rules of Criminal Procedure may not be construed to prohibit the disclosure of information required by subsection (a) of this section.

(c) DEFINITIONS.—In this section:

(1) The term ''appropriate congressional committees'' means—

(A) the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate; and

(B) if an investigation relates to intelligence or counterintelligence matters, the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

(2) The term ''covered offense'' means—

(A) an offense against the United States that arises from an investigation in which the President, or a relative of the President, is a target or subject;

(B) an offense under section 192 of title 2, United States Code; or

(C) an offense under section 1001, 1505, 1512, or 1621 of title 18, United States Code, provided that the offense occurred in relation to a Congressional proceeding or investigation.

(3) The term ''pardon'' includes a commutation of sentence.

(4) The term ''relative'' has the meaning given that term in section 3110(a) of title 5, United States Code.

SEC. 103. BRIBERY IN CONNECTION WITH PARDONS AND COMMUTATIONS.

Section 201 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting '', including the President and the Vice President of the United States,'' after ''or an officer or employee or person''; and

(B) in paragraph (3), by inserting before the period at the end the following: '', including any pardon, commutation, or reprieve, or an offer of any such pardon, commutation, or reprieve''; and

(2) in subsection (b)(3), by inserting ''(including, for purposes of this paragraph, any pardon, commutation, or reprieve, or an offer of any such pardon, commutation, or reprieve)'' after ''corruptly gives, offers, or promises anything of value''.

SEC. 104. PROHIBITION ON PRESIDENTIAL SELF-PARDON.

The President's grant of a pardon to himself or herself is void and of no effect, and shall not deprive the courts of jurisdiction, or operate to confer on the President any legal immunity from investigation or prosecution.

TITLE II—ENSURING NO PRESIDENT IS ABOVE THE LAW

SEC. 201. SHORT TITLE.

This title may be cited as the ''No President is Above the Law Act''.

SEC. 202. TOLLING OF STATUTE OF LIMITATIONS.

(a) OFFENSES COMMITTED BY THE PRESIDENT OR VICE PRESIDENT DURING OR PRIOR TO TENURE IN OFFICE.—Section 3282 of title 18, United States Code, is amended by adding at the end the following:

''(c) OFFENSES COMMITTED BY THE PRESIDENT OR VICE PRESIDENT DURING OR PRIOR TO TENURE IN OFFICE.—In the case of any person serving as President or Vice President of the United States, the duration of that person's tenure in office shall not be considered for purposes of any statute of limitations applicable to any Federal criminal offense committed by that person (including any offenses committed during any period of time preceding such tenure in office).''.

(b) APPLICABILITY.—The amendments made by subsection (a) shall apply to any offense committed before the date of the enactment of this section, if the statute of limitations applicable to that offense had not run as of such date.

(c) RULE OF CONSTRUCTION.—Nothing in this section may be construed to preclude the indictment or prosecution of a President or Vice President, during that President or Vice President's tenure in office, for violations of the criminal laws of the United States.

TITLE III—ENFORCEMENT OF THE FOREIGN AND DOMESTIC EMOLUMENTS CLAUSES OF THE CONSTITUTION

SEC. 301. SHORT TITLE.

This title may be cited as the ''Foreign and Domestic Emoluments Enforcement Act''.

SEC. 302. DEFINITIONS.

In this title:

(1) The term ''emolument'' means any profit, gain, or advantage that is received directly or indirectly from any government of a foreign country, the Federal government, or any State or local government, or from any instrumentality thereof, including payments arising from commercial transactions at fair market value.

(2) The term ''person holding any office of profit or trust under the United States'' includes the President of the United States and the Vice-President of the United States.

(3) The term ''government of a foreign country'' has the meaning given such term in section 1(e) of the Foreign Agents Registration Act (22 U.S.C. 611(e)).

SEC. 303. PROHIBITION ON ACCEPTANCE OF FOREIGN AND DOMESTIC EMOLUMENTS.

(a) FOREIGN.—Except as otherwise provided in section 7342 of title 5, United States Code, it shall be unlawful for any person holding an office of profit or trust under the United States to accept from a government of a foreign country, without first obtaining the consent of Congress, any present or emolument, or any office or title. The prohibition under this subsection applies without regard to whether the present, emolument, office, or title is—

(1) provided directly or indirectly by that government of a foreign country; or

(2) provided to that person or to any private business interest of that person.

(b) DOMESTIC.—It shall be unlawful for the President to accept from the United States, or any of them, any emolument other than the compensation for his or her services as President provided for by Federal law. The prohibition under this subsection applies without regard to whether the emolument is provided directly or indirectly, and without regard to whether the emolument is provided to the President or to any private business interest of the President.

SEC. 304. CIVIL ACTIONS BY CONGRESS CONCERNING FOREIGN EMOLUMENTS.

(a) CAUSE OF ACTION.—The House of Representatives or the Senate may bring a civil action against any person for a violation of subsection (a) of section 303.

(b) SPECIAL RULES.—In any civil action described in subsection (a), the following rules shall apply:

(1) The action shall be filed before the United States District Court for the District of Columbia.

(2) The action shall be heard by a three-judge court convened pursuant to section 2284 of title 28, United States Code. It shall be the duty of such court to advance on the docket and to expedite to the greatest possible extent the disposition of any such action. Such action shall be reviewable only by appeal directly to the Supreme Court of the United States. Such appeal shall be taken by the filing of a notice of appeal within 10 days, and the filing of a jurisdictional statement within 30 days, of the entry of the final decision.

(3) It shall be the duty of the Supreme Court of the United States to advance on the docket and to expedite to the greatest possible extent the disposition of any such action and appeal.

(c) REMEDY.—If the court determines that a violation of subsection (a) of section 303 has occurred, the court shall issue an order enjoining the course of conduct found to constitute the violation, and such of the following as are appropriate:

(1) The disgorgement of the value of any foreign present or emolument.

(2) The surrender of the physical present or emolument to the Department of State, which shall, if practicable, dispose of the present or emolument and deposit the proceeds into the United States Treasury.

(3) The renunciation of any office or title accepted in violation of such subsection.

(4) A prohibition on the use or holding of such an office or title.

(5) Such other relief as the court determines appropriate.

(d) USE OF GOVERNMENT FUNDS PROHIBITED.—No appropriated funds, funds provided from any accounts in the United States Treasury, funds derived from the collection of fees, or any other Government funds shall be used to pay any disgorgement imposed by the court pursuant to this section.

SEC. 305. DISCLOSURES CONCERNING FOREIGN AND DOMESTIC EMOLUMENTS.

(a) DISCLOSURES.—Section 102(a) of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended by adding at the end the following:

''(9) Any present, emolument, office, or title received from a government of a foreign country, including the source, date, type, and amount or value of each present or emolument accepted on or before the date of filing during the preceding calendar year.

''(10) Each business interest that is reasonably expected to result in the receipt of any present or emolument from a government of a foreign country during the current calendar year.

''(11) In addition, the President shall report—

''(A) any emolument received from the United States, or any of them, other than the compensation for his or her services as President provided for by Federal law; and

''(B) any business interest that is reasonably expected to result in the receipt of any emolument from the United States, or any of them.''.

(b) RULE OF CONSTRUCTION.—Nothing in the amendments made by this section shall be construed to affect the prohibition against the acceptance of presents and emoluments under section 303.

SEC. 306. ENFORCEMENT AUTHORITY OF THE DIRECTOR OF THE OFFICE OF GOVERNMENT ETHICS.

(a) GENERAL AUTHORITY.—Section 402(a) of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended—

(1) by striking ''(a) The Director'' and inserting ''(a)(1) The Director''; and

(2) by adding at the end the following new paragraph:

''(2) The Director shall provide overall direction of executive branch policies related to compliance with the Foreign and Domestic Emoluments Enforcement Act and the amendments made by such Act and shall have the authority to—

''(A) issue administrative fines to individuals for violations;

''(B) order individuals to take corrective action, including disgorgement, divestiture, and recusal, as the Director deems necessary; and

''(C) bring civil actions to enforce such fines and orders.''.

(b) SPECIFIC AUTHORITIES.—Section 402(b) of such Act (5 U.S.C. App.) is amended—

(1) by striking ''and'' at the end of paragraph (14);

(2) by striking the period at the end of paragraph (15) and inserting ''; and''; and

(3) by adding at the end the following new paragraph:

''(16) developing and promulgating rules and regulations to ensure compliance with the Foreign and Domestic Emoluments Enforcement Act and the amendments made by such Act, including establishing—

''(A) requirements for reporting and disclosure;

''(B) a schedule of administrative fines that may be imposed by the Director for violations; and

''(C) a process for referral of matters to the Office of Special Counsel for investigation in compliance with section 1216(d) of title 5, United States Code.''.

SEC. 307. JURISDICTION OF THE OFFICE OF SPECIAL COUNSEL.

Section 1216 of title 5, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (4), by striking ''and'' at the end;

(B) in paragraph (5) by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(6) any violation of section 303 of the Foreign and Domestic Emoluments Enforcement Act or of the amendments made by section 305 of such Act.''; and

(2) by adding at the end the following:

''(d) If the Director of the Office of Government Ethics refers a matter for investigation pursuant to section 402 of the Ethics in Government Act of 1978, or if the Special Counsel receives a credible complaint of a violation referred to in subsection (a)(6), the Special Counsel shall complete an investigation not later than 120 days thereafter. If the Special Counsel investigates any violation pursuant to subsection (a)(6), the Special Counsel shall report not later than 7 days after the completion of such investigation to the Director of the Office of Government Ethics and to Congress on the results of such investigation.''.

DIVISION B—RESTORING CHECKS AND BALANCES, ACCOUNTABILITY, AND TRANSPARENCY

TITLE IV—ENFORCEMENT OF CONGRESSIONAL SUBPOENAS

SEC. 401. SHORT TITLE.

This title may be cited as the ''Congressional Subpoena Compliance and Enforcement Act''.

SEC. 402. FINDINGS.

The Congress finds as follows:

(1) As the Supreme Court has repeatedly affirmed, including in its July 9, 2020 holding in Trump v. Mazars, Congress's ''power of inquiry—with process to enforce it—is an essential and appropriate auxiliary to the legislative function''. Congress's power to obtain information, including through the issuance of subpoenas and the enforcement of such subpoenas, is ''broad and indispensable''.

(2) Congress ''suffers a concrete and particularized injury when denied the opportunity to obtain information necessary'' to the exercise of its constitutional functions, as the U.S. Court of Appeals for the District of Columbia Circuit correctly recognized in its August 7, 2020 en banc decision in Committee on the Judiciary of the U.S. House of Representatives v. McGahn.

(3) Accordingly, the Constitution secures to each House of Congress an inherent right to enforce its subpoenas in court. Explicit statutory authorization is not required to secure such a right of action, and the contrary holding by a divided panel of the U.S. Court of Appeals for the District of Columbia Circuit in McGahn, entered on August 31, 2020, was in error.

SEC. 403. ENFORCEMENT OF CONGRESSIONAL SUBPOENAS.

(a) IN GENERAL.—Chapter 85 of title 28, United States Code, is amended by inserting after section 1365 the following:

''§ 1365a. Congressional actions against subpoena recipients

''(a) CAUSE OF ACTION.—The United States House of Representatives, the United States Senate, or a committee or subcommittee thereof, may bring a civil action against the recipient of a subpoena issued by a congressional committee or subcommittee to enforce compliance with the subpoena.

''(b) SPECIAL RULES.—In any civil action described in subsection (a), the following rules shall apply:

''(1) The action may be filed in a United States district court of competent jurisdiction.

''(2) Notwithstanding section 1657(a), it shall be the duty of every court of the United States to expedite to the greatest possible extent the disposition of any such action and appeal. Upon a showing by the plaintiff of undue delay, other irreparable harm, or good cause, a court to which an appeal of the action may be taken shall issue any necessary and appropriate writs and orders to ensure compliance with this paragraph.

''(3) If a three-judge court is expressly requested by the plaintiff in the initial pleading, the action shall be heard by a three-judge court convened pursuant to section 2284, and shall be reviewable only by appeal directly to the Supreme Court of the United States. Such appeal shall be taken by the filing of a notice of appeal within 10 days, and the filing of a jurisdictional statement within 30 days, of the entry of the final decision.

''(4) The initial pleading must be accompanied by certification that the party bringing the action has in good faith conferred or attempted to confer with the recipient of the subpoena to secure compliance with the subpoena without court action.

''(c) PENALTIES.—

''(1) CASES INVOLVING GOVERNMENT AGENCIES.—

''(A) IN GENERAL.—The court may impose monetary penalties directly against each head of a Government agency and the head of each component thereof held to have knowingly failed to comply with any part of a congressional subpoena, unless—

''(i) the President instructed the official not to comply; and

''(ii) the President, or the head of the agency or component thereof, submits to the court a letter confirming such instruction and the basis for such instruction.

''(B) PROHIBITION ON USE OF GOVERNMENT FUNDS.—No appropriated funds, funds provided from any accounts in the Treasury, funds derived from the collection of fees, or other Government funds shall be used to pay any monetary penalty imposed by the court pursuant to this paragraph.

''(2) LEGAL FEES.—In addition to any other penalties or sanctions, the court shall require that any defendant, other than a Government agency, held to have willfully failed to comply with any part of a congressional subpoena, pay a penalty in an amount equal to that party's legal fees, including attorney's fees, litigation expenses, and other costs. If such defendant is an officer or employee of a Government agency, such fees may be paid from funds appropriated to pay the salary of the defendant.

''(d) WAIVER.—Any ground for noncompliance asserted by the recipient of a congressional subpoena shall be deemed to have been waived as to any particular information withheld from production if the court finds that the recipient failed in a timely manner to comply with the applicable requirements of section 105(b) of the Revised Statutes of the United States with respect to such information.

''(e) RULES OF PROCEDURE.—The Supreme Court and the Judicial Conference of the United States shall prescribe rules of procedure to ensure the expeditious treatment of actions described in subsection (a). Such rules shall be prescribed and submitted to the Congress pursuant to sections 2072, 2073, and 2074. This shall include procedures for expeditiously considering any assertion of constitutional or Federal statutory privilege made in connection with testimony by any recipient of a subpoena from a congressional committee or subcommittee. The Supreme Court shall transmit such rules to Congress within 6 months after the effective date of this section and then pursuant to section 2074 thereafter.

''(f) DEFINITION.—For purposes of this section, the term 'Government agency' means any office or entity described in section 105 and 106 of title 3, an executive department listed in section 101 of title 5, an independent establishment, commission, board, bureau, division, or office in the executive branch, or other agency or instrumentality of the Federal Government, including wholly or partly owned Government corporations.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 85 of title 28, United States Code, is amended by inserting after the item relating to section 1365 the following:

''1365a. Congressional actions against subpoena recipients.''.

SEC. 404. COMPLIANCE WITH CONGRESSIONAL SUBPOENAS.

(a) IN GENERAL.—Chapter 7 of title II of the Revised Statutes of the United States (2 U.S.C. 191 et seq.) is amended—

(1) by adding at the end the following:

''SEC. 105. RESPONSE TO CONGRESSIONAL SUBPOENAS.

''(a) SUBPOENA BY CONGRESSIONAL COMMITTEE.—Any recipient of any subpoena from

a congressional committee or subcommittee shall appear and testify, produce, or otherwise disclose information in a manner consistent with the subpoena and this section.

''(b) FAILURE TO PRODUCE INFORMATION.—

''(1) GROUNDS FOR WITHHOLDING INFORMATION.—Unless required by the Constitution or by Federal statute, no claim of privilege or protection from disclosure shall be a ground for withholding information responsive to the subpoena or required by this section.

''(2) IDENTIFICATION OF INFORMATION WITHHELD.—In the case of information that is withheld, in whole or in part, by the subpoena recipient, the subpoena recipient shall, without delay provide a log containing the following:

''(A) An express assertion and description of the ground asserted for withholding the information.

''(B) The type of information.

''(C) The general subject matter.

''(D) The date, author, and addressee.

''(E) The relationship of the author and addressee to each other.

''(F) The custodian of the information.

''(G) Any other descriptive information that may be produced or disclosed regarding the information that will enable the congressional committee or subcommittee issuing the subpoena to assess the ground asserted for withholding the information.

''(c) DEFINITION.—For purposes of this section the term 'information' includes any books, papers, documents, data, or other objects requested in a subpoena issued by a congressional committee or subcommittee.''.

(b) CLERICAL AMENDMENT.—The table of contents for chapter 7 of title II of the Revised Statutes of the United States is amended by adding at the end the following:

''105. Response to congressional subpoenas.''.

SEC. 405. RULE OF CONSTRUCTION.

Nothing in this title may be interpreted to limit or constrain Congress' inherent authority or foreclose any other means for enforcing compliance with congressional subpoenas, nor may anything in this title be interpreted to establish or recognize any ground for noncompliance with a congressional subpoena.

TITLE V—REASSERTING CONGRESSIONAL POWER OF THE PURSE

SEC. 500. SHORT TITLE.

This title may be cited as the ''Congressional Power of the Purse Act''.

Subtitle A—Strengthening Congressional Control and Review To Prevent Impoundment

SEC. 501. STRENGTHENING CONGRESSIONAL CONTROL.

(a) IN GENERAL.—The Impoundment Control Act of 1974 (2 U.S.C. 681 et seq.) is amended by adding at the end the following:

''PRUDENT OBLIGATION OF BUDGET AUTHORITY AND SPECIFIC REQUIREMENTS FOR EXPIRING BUDGET AUTHORITY

''SEC. 1018. (a) SPECIAL MESSAGE REQUIREMENT.—With respect to budget authority proposed to be rescinded or that is set to be reserved or proposed to be deferred in a special message transmitted under section 1012 or 1013, such budget authority—

''(1) shall be made available for obligation in sufficient time to be prudently obligated as required under section 1012(b) or 1013; and

''(2) may not be deferred or otherwise withheld from obligation during the 90-day period before the expiration of the period of availability of such budget authority, including, if applicable, the 90-day period before the expiration of an initial period of availability for which such budget authority was provided.

''(b) ADMINISTRATIVE REQUIREMENT.—With respect to an apportionment of an appropriation (as that term is defined in section 1511 of title 31, United States Code) made pursuant to section 1512 of such title, an appropriation shall be apportioned—

''(1) to make available all amounts for obligation in sufficient time to be prudently obligated; and

''(2) to make available all amounts for obligation, without precondition (including footnotes) that shall be met prior to obligation, not later than 90 days before the expiration of the period of availability of such appropriation, including, if applicable, 90 days before the expiration of an initial period of availability for which such appropriation was provided.''.

(b) CLERICAL AMENDMENT.—The table of contents of the Congressional Budget and Impoundment Control Act of 1974 set forth in section 1(b) of such Act is amended by adding after the item relating to section 1017 the following:

''1018. Prudent obligation of budget authority and specific requirements for expiring budget authority.''.

SEC. 502. STRENGTHENING CONGRESSIONAL REVIEW.

(a) IN GENERAL.—The Impoundment Control Act of 1974 (2 U.S.C. 681 et seq.), as amended by section 501(a), is further amended by adding at the end the following:

''REPORTING

''SEC. 1019. (a) APPORTIONMENT OF APPROPRIATIONS.—

''(1) IN GENERAL.—Not later than 90 days after the date of enactment of this section, the Office of Management and Budget shall complete implementation of an automated system to post each document apportioning an appropriation, pursuant to section 1513(b) of title 31, United States Code, including any associated footnotes, in a format that qualifies each such document as an Open Government Data Asset (as defined in section 3502 of title 44, United States Code), not later than 2 business days after the date of approval of such apportionment, and shall place on such website each document apportioning an appropriation, pursuant to such section 1513(b), including any associated footnotes, already approved for the fiscal year, and shall report the date of completion of such requirements to the Committees on the Budget and Appropriations of the House of Representatives and Senate.

''(2) EXPLANATORY STATEMENT.—Each document apportioning an appropriation posted on a publicly accessible website under paragraph (1) shall also include a written explanation by the official approving each such apportionment (pursuant to section 1513(b) of title 31, United States Code) of the rationale for the apportionment schedule and for any footnotes for apportioned amounts.

''(3) SPECIAL PROCESS FOR TRANSMITTING CLASSIFIED DOCUMENTATION TO THE CONGRESS.—The Office of Management and Budget or the applicable department or agency shall make available classified documentation referenced in any apportionment at the request of the chair or ranking member of any appropriate congressional committee or subcommittee.

''(4) DEPARTMENT AND AGENCY REPORT.—Each department or agency shall notify the Committees on the Budget and Appropriations of the House of Representatives and the Senate and any other appropriate congressional committees if—

''(A) an apportionment is not made in the required time period provided in section 1513(b) of title 31, United States Code;

''(B) an approved apportionment received by the department or agency conditions the availability of an appropriation on further action; or

''(C) an approved apportionment received by the department or agency may hinder the prudent obligation of such appropriation or the execution of a program, project, or activity by such department or agency;

and such notification shall contain information identifying the bureau, account name, appropriation name, and Treasury Appropriation Fund Symbol or fund account.

''(b) APPROVING OFFICIALS.—

''(1) DELEGATION OF AUTHORITY.—Not later than 15 days after the date of enactment of this section, any delegation of apportionment authority pursuant to section 1513(b) of title 31, United States Code that is in effect as of such date shall be submitted for publication in the Federal Register. Any delegation of such apportionment authority after the date of enactment of this section shall, on the date of such delegation, be submitted for publication in the Federal Register. The Office of Management and Budget shall publish such delegations in a format that qualifies such publications as an Open Government Data Asset (as defined in section 3502 of title 44, United States Code) on a public internet website, which shall be continuously updated with the position of each Federal officer or employee to whom apportionment authority has been delegated.

''(2) REPORT TO CONGRESS.—Not later than 5 days after any change in the position of the approving official with respect to such delegated apportionment authority for any account is made, the Office shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate, the Committees on the Budget of the House of Representatives and the Senate, and any other appropriate congressional committee explaining why such change was made.''.

(b) CLERICAL AMENDMENT.—The table of contents of the Congressional Budget and Impoundment Control Act of 1974 set forth in section 1(b) of such Act, as amended by section 501(b), is further amended by adding after the item relating to section 1018 the following:

''1019. Reporting.''.

SEC. 503. UPDATED AUTHORITIES FOR AND REPORTING BY THE COMPTROLLER GENERAL.

(a) Section 1015 of the Impoundment Control Act of 1974 (2 U.S.C. 686) is amended—

(1) in subsection (a), in the matter following paragraph (2), by striking the last sentence; and

(2) by adding at the end the following:

''(c) REVIEW.—

''(1) IN GENERAL.—The Comptroller General shall review compliance with this part and shall submit to the Committees on the Budget, Appropriations, and Oversight and Reform of the House of Representatives, the Committees on the Budget, Appropriations, and Homeland Security and Governmental Affairs of the Senate, and any other appropriate congressional committee of the House of Representatives and Senate a report, and any relevant information related to the report, on any noncompliance with this part.

''(2) INFORMATION, DOCUMENTATION, AND VIEWS.—The President or the head of the relevant department or agency of the United States shall provide information, documentation, and views to the Comptroller General, as is determined by the Comptroller General to be necessary to determine such compliance, not later than 20 days after the date on which the request from the Comptroller General is received, or if the Comptroller General determines that a shorter or longer period is appropriate based on the specific circumstances, within such shorter or longer period.

''(3) ACCESS.—To carry out the responsibilities of this part, the Comptroller General shall also have access to interview the officers, employees, contractors, and other

agents and representatives of a department, agency, or office of the United States at any reasonable time as the Comptroller General may request.''.

(b) Section 1001 of the Impoundment Control Act of 1974 (2 U.S.C. 681) is amended—

(1) in paragraph (3), by striking the ''or'' at the end of the paragraph;

(2) in paragraph (4), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(5) affecting or limiting in any way the authorities provided to the Comptroller General under chapter 7 of title 31, United States Code.''.

SEC. 504. ADVANCE CONGRESSIONAL NOTIFICATION AND LITIGATION.

Section 1016 of the Impoundment Control Act of 1974 (2 U.S.C. 687) is amended to read as follows:

''SUITS BY COMPTROLLER GENERAL

''SEC. 1016. If, under this chapter, budget authority is required to be made available for obligation and such budget authority is not made available for obligation or information, documentation, views, or access are required to be produced and such information, documentation, views, or access are not produced, the Comptroller General is expressly empowered, through attorneys of the Comptroller General's own selection, to bring a civil action in the United States District Court for the District of Columbia to require such budget authority to be made available for obligation or such information, documentation, views, or access to be produced, and such court is expressly empowered to enter in such civil action, against any department, agency, officer, or employee of the United States, any decree, judgment, or order which may be necessary or appropriate to make such budget authority available for obligation or compel production of such information, documentation, views, or access. No civil action shall be brought by the Comptroller General to require budget authority be made available under this section until the expiration of 15 calendar days following the date on which an explanatory statement by the Comptroller General of the circumstances giving rise to the action contemplated is filed with the Speaker of the House of Representatives and the President of the Senate, except that expiration of such period shall not be required if the Comptroller General finds (and incorporates the finding in the explanatory statement filed) that the delay would be contrary to the public interest.''.

SEC. 505. PENALTIES FOR FAILURE TO COMPLY WITH THE IMPOUNDMENT CONTROL ACT OF 1974.

(a) IN GENERAL.—The Impoundment Control Act of 1974 (2 U.S.C. 681 et seq.), as amended by section 502(a), is further amended by adding at the end the following:

''PENALTIES FOR FAILURE TO COMPLY

''SEC. 1020. (a) ADMINISTRATIVE DISCIPLINE.—An officer or employee of the Executive Branch of the United States Government violating this part shall be subject to appropriate administrative discipline including, when circumstances warrant, suspension from duty without pay or removal from office.

''(b) REPORTING VIOLATIONS.—

''(1) IN GENERAL.—In the event of a violation of section 1001, 1012, 1013, or 1018 of this part, or in the case that the Comptroller General issues a legal decision concluding that a department, agency, or office of the United States violated this part, the President or the head of the relevant department or agency as the case may be, shall report immediately to Congress all relevant facts and a statement of actions taken. A copy of each report shall also be transmitted to the Comptroller General and the relevant inspector general on the same date the report is transmitted to the Congress.

''(2) CONTENTS.—Any such report shall include a summary of the facts pertaining to the violation, the title and Treasury Appropriation Fund Symbol of the appropriation or fund account, the amount involved for each violation, the date on which the violation occurred, the position of any individuals responsible for the violation, a statement of the administrative discipline imposed and any further action taken with respect to any officer or employee involved in the violation, a statement of any additional action taken to prevent recurrence of the same type of violation, and any written response by any officer or employee identified by position as involved in the violation. In the case that the Comptroller General issues a legal decision concluding that a department, agency, or office of the United States violated this part and the relevant department, agency, or office does not agree that a violation has occurred, the report provided to Congress, the Comptroller General, and relevant inspector general will explain its position.''.

(b) CLERICAL AMENDMENT.—The table of contents of the Congressional Budget and Impoundment Control Act of 1974 set forth in section 1(b) of such Act, as amended by section 502(b), is further amended by adding after the item relating to section 1019 the following:

''1020. Penalties for failure to comply.''.

Subtitle B—Strengthening Transparency and Reporting

PART 1—FUNDS MANAGEMENT AND REPORTING TO THE CONGRESS

SEC. 511. EXPIRED BALANCE REPORTING IN THE PRESIDENT'S BUDGET.

Section 1105(a) of title 31, United States Code, is amended by adding at the end the following:

''(40) for the budgets for each of fiscal years 2023 through 2027, a report on—

''(A) unobligated expired balances as of the beginning of the current fiscal year and the beginning of each of the preceding 2 fiscal years by agency and the applicable Treasury Appropriation Fund Symbol or fund account; and

''(B) an explanation of unobligated expired balances in any Treasury Appropriation Fund Symbol or fund account that exceed the lesser of 5 percent of total appropriations made available for that account or $100,000,000.''.

SEC. 512. CANCELLED BALANCE REPORTING IN THE PRESIDENT'S BUDGET.

Section 1105(a) of title 31, United States Code, as amended by section 511, is further amended by adding at the end the following:

''(41) for the budgets for each of fiscal years 2023 through 2027, a report on—

''(A) cancelled balances (pursuant to section 1552(a)) for the preceding 3 fiscal years by agency and Treasury Appropriation Fund Symbol or fund account;

''(B) an explanation of cancelled balances in any Treasury Appropriation Fund Symbol or fund account that exceed the lesser of 5 percent of total appropriations made available for that account or $100,000,000; and

''(C) a tabulation, by Treasury Appropriation Fund Symbol or fund account and appropriation, of all balances of appropriations available for an indefinite period in an appropriation account available for an indefinite period that do not meet the criteria for closure under section 1555, but for which either—

''(i) the head of the agency concerned or the President has determined that the purposes for which the appropriation was made have been carried out; or

''(ii) no disbursement has been made against the appropriation—

''(I) in the prior year and the preceding fiscal year; or

''(II) in the prior year and which the budget estimates zero disbursements in the current year.''.

SEC. 513. LAPSE IN APPROPRIATIONS—REPORTING IN THE PRESIDENT'S BUDGET.

Section 1105(a) of title 31, United States Code, as amended by section 512, is further amended by adding at the end the following:

''(42) a report on—

''(A) any obligation or expenditure made by a department or agency affected in whole or in part by any lapse in appropriations of 5 consecutive days or more during the preceding fiscal year for which amounts were not available; and

''(B) with respect to any such obligation or expenditure—

''(i) the amount so obligated or expended;

''(ii) the account affected;

''(iii) an explanation of the Antideficiency Act exception or other legal authority that permitted the department or agency, as the case may be, to incur such obligation or expenditure; and

''(iv) an explanation of any change in the application of any Antideficiency Act exception for a program, project, or activity from any explanations previously reported on pursuant to this paragraph.''.

SEC. 514. TRANSFER AND OTHER REPURPOSING AUTHORITY REPORTING IN THE PRESIDENT'S BUDGET.

Section 1105(a) of title 31, United States Code, as amended by section 513, is further amended by adding at the end the following:

''(43) for the budget for fiscal year 2023, a report on—

''(A) any transfer authority or other authority to repurpose appropriations provided in a law other than an appropriation act; and

''(B) with respect to any such authority, the citation to the statute, the list of departments or agencies covered, an explanation of when such authority may be used, and an explanation on any use of such authority in the preceding 3 fiscal years.''.

SEC. 515. AUTHORIZING CANCELLATIONS IN INDEFINITE ACCOUNTS BY APPROPRIATION.

(a) IN GENERAL.—Subchapter IV of chapter 15 of title 31, United States Code, is amended by inserting after section 1555 the following:

''SEC. 1555a. CANCELLATION OF APPROPRIATIONS AVAILABLE FOR INDEFINITE PERIODS WITHIN AN ACCOUNT.

''Any remaining balance (whether obligated or unobligated) from an appropriation available for an indefinite period in an appropriation account available for an indefinite period that does not meet the requirements for closure under section 1555 shall be canceled, and thereafter shall not be available for obligation or expenditure for any purpose, if—

''(1) the head of the agency concerned or the President determines that the purposes for which the appropriation was made have been carried out; and

''(2) no disbursement has been made against the appropriation for two consecutive fiscal years.''.

(b) CLERICAL AMENDMENT.—The table of sections for subchapter IV of chapter 15 of title 31, United States Code, is amended by inserting after the item relating to section 1555 the following:

''1555a. Cancellation of appropriations available for indefinite periods within an account.''.

PART 2—EMPOWERING CONGRESSIONAL REVIEW THROUGH NONPARTISAN CONGRESSIONAL AGENCIES AND TRANSPARENCY INITIATIVES

SEC. 521. REQUIREMENT TO RESPOND TO REQUESTS FOR INFORMATION FROM THE COMPTROLLER GENERAL FOR BUDGET AND APPROPRIATIONS LAW DECISIONS.

(a) IN GENERAL.—Subchapter II of chapter 7 of title 31, United States Code, is amended by adding at the end the following:

''SEC. 722. REQUIREMENT TO RESPOND TO REQUESTS FOR INFORMATION FROM THE COMPTROLLER GENERAL FOR BUDGET AND APPROPRIATIONS LAW DECISIONS.

''(a) If an agency receives a written request for information, documentation, or views from the Comptroller General relating to a decision or opinion on budget or appropriations law, the agency shall provide the requested information, documentation, or views not later than 20 days after receiving the written request, unless such written request specifically provides otherwise.

''(b) If an agency fails to provide the requested information, documentation, or views within the time required by this section—

''(1) the Comptroller General shall notify, in writing, the Committee on Oversight and Reform of the House of Representatives, Committee on Homeland Security and Governmental Affairs of the Senate, and any other appropriate congressional committee of such failure; and

''(2) the Comptroller General is hereby expressly empowered, through attorneys of the Comptroller General's own selection, to bring a civil action in the United States District Court for the District of Columbia to require such information, documentation, or views to be produced, and such court is expressly empowered to enter in such civil action, against any department, agency, officer, or employee of the United States, any decree, judgment, or order which may be necessary or appropriate to require such production.

''(c) Nothing in this section shall be construed as affecting or otherwise limiting the authorities provided to the Comptroller General in section 716 of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections for subchapter II of chapter 7 of title 31, United States Code, is amended by inserting after the item relating to section 721 the following:

''722. Requirement to respond to requests for information from the Comptroller General for budget and appropriations law decisions.''.

SEC. 522. REPORTING REQUIREMENTS FOR ANTIDEFICIENCY ACT VIOLATIONS.

(a) VIOLATIONS OF SECTION 1341 OR 1342.—Section 1351 of title 31, United States Code, is amended—

(1) by striking ''If'' and inserting ''(a) If'';

(2) by inserting ''or if the Comptroller General determines that an officer or employee of such entity violated section 1341(a) or 1342,'' before ''the head of the agency'';

(3) by striking ''the Comptroller General'' and inserting ''the Comptroller General and the Attorney General''; and

(4) by adding at the end the following:

''(b) Any such report shall include a statement of the provision violated, a summary of the facts pertaining to the violation, the title and Treasury Appropriation Fund Symbol of the appropriation or fund account, the amount involved for each violation, the date on which the violation occurred, the position of any officer or employee responsible for the violation, a statement of the administrative discipline imposed and any further action taken with respect to any officer or employee involved in the violation, a statement of any additional action taken to prevent recurrence of the same type of violation, a statement of any determination that the violation was not knowing and willful that has been made by the entity filing the report, and any written response by any officer or employee identified by position as involved in the violation. In the case that the Comptroller General issues a legal decision concluding that section 1341(a) or 1342 was violated and the entity filing the report, does not agree that a violation has occurred, the report provided to the President, the Congress, and the Comptroller General will explain its position.''.

(b) VIOLATIONS OF SECTION 1517.—Section 1517 of title 31, United States Code, is amended—

(1) by inserting ''or if the Comptroller General determines that an officer or employee of such entity violated subsection (a),'' before ''the head of the executive agency'';

(2) by striking ''the Comptroller General'' and inserting ''the Comptroller General and the Attorney General''; and

(3) by adding at the end the following:

''(c) Any such report shall include a statement of the provision violated, a summary of the facts pertaining to the violation, the title and Treasury Appropriation Fund Symbol of the appropriation or fund account, the amount involved for each violation, the date on which the violation occurred, the position of any officer or employee responsible for the violation, a statement of the administrative discipline imposed and any further action taken with respect to any officer or employee involved in the violation, a statement of any additional action taken to prevent recurrence of the same type of violation, a statement of any determination that the violation was not knowing and willful that has been made by the entity filing the report, and any written response by any officer or employee identified by position as involved in the violation. In the case that the Comptroller General issues a legal decision concluding that subsection (a) was violated and the entity filing the report does not agree that a violation has occurred, the report provided to the President, the Congress, and the Comptroller General will explain its position.''.

SEC. 523. DEPARTMENT OF JUSTICE REPORTING TO CONGRESS FOR ANTIDEFICIENCY ACT VIOLATIONS.

(a) VIOLATIONS OF SECTIONS 1341 OR 1342.—Section 1350 of title 31, United States Code, is amended—

(1) by striking ''An officer'' and inserting ''(a) An officer''; and

(2) by adding at the end the following:

''(b)(1) If a report is made under section 1351 of a violation of section 1341(a) or 1342, the Attorney General shall promptly review such report and investigate to the extent necessary to determine whether there are reasonable grounds to believe that the responsible officer or employee knowingly and willfully violated such section 1341(a) or 1342, as applicable. If the Attorney General determines that there are such reasonable grounds, the Attorney General diligently shall investigate a criminal violation under this section.

''(2) The Attorney General shall submit to Congress and the Comptroller General on or before March 31 of each calendar year an annual report detailing separately for each reporting entity—

''(A) the number of reports under section 1351 transmitted to the President during the preceding calendar year;

''(B) the number of reports reviewed in accordance with paragraph (1) during the preceding calendar year;

''(C) without identification of any individual officer or employee, a description of each investigation undertaken in accordance with paragraph (1) during the preceding calendar year and an explanation of the status of any such investigation; and

''(D) without identification of any individual officer or employee, an explanation of any update to the status of any review or investigation previously reported pursuant to this subsection.''.

(b) VIOLATIONS OF SECTION 1517.—Section 1519 of title 31, United States Code, is amended—

(1) by striking ''An officer'' and inserting ''(a) An officer''; and

(2) by adding at the end the following:

''(b)(1) If a report is made under section 1517(b) of a violation of section 1517(a), the Attorney General shall promptly review such report and investigate to the extent necessary to determine whether there are reasonable grounds to believe that the responsible officer or employee knowingly and willfully violated such section 1517(a). If the Attorney General determines that there are such reasonable grounds, the Attorney General diligently shall investigate a criminal violation under this section.

''(2) The Attorney General shall submit to Congress and the Comptroller General on or before March 31 of each calendar year an annual report detailing separately for each reporting entity—

''(A) the number of reports under section 1517(b) transmitted to the President during the preceding calendar year;

''(B) the number of reports reviewed in accordance with paragraph (1) during the preceding calendar year;

''(C) without identification of any individual officer or employee, a description of each investigation undertaken in accordance with paragraph (1) during the preceding calendar year and an explanation of the status of any such investigation; and

''(D) without identification of any individual officer or employee, an explanation of any update to the status of any review or investigation previously reported pursuant to this subsection.''.

SEC. 524. PUBLICATION OF BUDGET OR APPROPRIATIONS LAW OPINIONS OF THE DEPARTMENT OF JUSTICE OFFICE OF LEGAL COUNSEL.

(a) SCHEDULE OF PUBLICATION FOR FINAL OLC OPINIONS.—Each final opinion issued by the Office of Legal Counsel of the Department of Justice (final OLC opinion) shall be made available on its public website in a manner that is searchable, sortable, and downloadable in its entirety as soon as is practicable, but—

(1) not later than 30 days after the opinion is issued or updated if such action takes place on or after the date of enactment of this Act;

(2) not later than 1 year after the date of enactment of this Act for an opinion issued on or after January 20, 1993;

(3) not later than 2 years after the date of enactment of this Act for an opinion issued on or after January 20, 1981, and before or on January 19, 1993;

(4) not later than 3 years after the date of enactment of this Act for an opinion issued on or after January 20, 1969, and before or on January 19, 1981; and

(5) not later than 4 years after the date of enactment of this Act for all other opinions.

(b) EXCEPTIONS AND LIMITATION ON PUBLIC AVAILABILITY OF FINAL OLC OPINIONS.—

(1) IN GENERAL.—A final OLC opinion or part thereof may be withheld only to the extent—

(A) information contained in the opinion was—

(i) specifically authorized to be kept secret, under criteria established by an Executive order, in the interest of national defense or foreign policy;

(ii) properly classified, including all procedural and marking requirements, pursuant to such Executive order;

(iii) the Attorney General determines that the national defense or foreign policy interests protected outweigh the public's interest in access to the information; and

(iv) put through declassification review within the past two years;

(B) information contained in the opinion relates to the appointment of a specific individual not confirmed to Federal office;

(C) information contained in the opinion is specifically exempted from disclosure by statute (other than sections 552 and 552b of title 5, United States Code), if such statute—

(i) requires that the material be withheld in such a manner as to leave no discretion on the issue; or

(ii) establishes particular criteria for withholding or refers to particular types of material to be withheld;

(D) information in the opinion includes trade secrets and commercial or financial information obtained from a person and privileged or confidential whose disclosure would likely cause substantial harm to the competitive position of the person from whom the information was obtained;

(E) the President, in his or her sole and nondelegable determination, formally and personally claims in writing that executive privilege prevents the release of the information and disclosure would cause specific identifiable harm to an interest protected by an exception or the disclosure is prohibited by law; or

(F) information in the opinion includes personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

(2) DETERMINATION TO WITHHOLD.—Any determination under this subsection to withhold information contained in a final OLC opinion shall be made by the Attorney General or a designee of the Attorney General. The determination shall be—

(A) in writing;

(B) made available to the public within the same timeframe as is required of a formal OLC opinion;

(C) sufficiently detailed as to inform the public of what kind of information is being withheld and the reason therefore; and

(D) effective only for a period of 3 years, subject to review and reissuance, with each reissuance made available to the public.

(3) FINAL OPINIONS.—For final OLC opinions for which the text is withheld in full or in substantial part, a detailed unclassified summary of the opinion shall be made available to the public, in the same timeframe as required of the final OLC opinion, that conveys the essence of the opinion, including any interpretations of a statute, the Constitution, or other legal authority. A notation shall be included in any published list of final OLC opinions regarding the extent of the withholdings.

(4) NO LIMITATION ON FREEDOM OF INFORMATION.—Nothing in this subsection shall be construed as limiting the availability of information under section 552 of title 5, United States Code or construed as an exemption under paragraph (3) of subsection (b) of such section.

(5) NO LIMITATION ON RELIEF.—A decision by the Attorney General to release or withhold information pursuant to this title shall not preclude any action or relief conferred by statutory or regulatory regime that empowers any person to request or demand the release of information.

(6) REASONABLY SEGREGABLE PORTIONS OF OPINIONS TO BE PUBLISHED.—Any reasonably segregable portion of an opinion shall be provided after withholding of the portions which are exempt under this section. The amount of information withheld, and the exemption under which the withholding is made, shall be indicated on the released portion of the opinion, unless including that indication would harm an interest protected by the exemption in this paragraph under which the withholding is made. If technically feasible, the amount of the information withheld, and the exemption under which the withholding is made, shall be indicated at the place in the opinion where such withholding is made.

(c) METHOD OF PUBLICATION.—The Attorney General shall publish each final OLC opinion to the extent the law permits, including by publishing the opinions on a publicly accessible website that—

(1) with respect to each opinion—

(A) contains an electronic copy of the opinion, including any transmittal letter associated with the opinion, in an open format that is platform independent and that is available to the public without restrictions;

(B) provides the public the ability to retrieve an opinion, to the extent practicable, through searches based on—

(i) the title of the opinion;

(ii) the date of publication or revision; or

(iii) the full text of the opinion;

(C) identifies the time and date when the opinion was required to be published, and when the opinion was transmitted for publication; and

(D) provides a permanent means of accessing the opinion electronically;

(2) includes a means for bulk download of all final OLC opinions or a selection of opinions retrieved using a text-based search;

(3) provides free access to the opinions, and does not charge a fee, require registration, or impose any other limitation in exchange for access to the website; and

(4) is capable of being upgraded as necessary to carry out the purposes of this section.

(d) DEFINITIONS.—In this section:

(1) OLC OPINION.—The term ''OLC opinion'' means views on a matter of legal interpretation communicated by the Office of Legal Counsel of the Department of Justice to any other office or agency, or person in an office or agency, in the Executive Branch, including any office in the Department of Justice, the White House, or the Executive Office of the President, and rendered in accordance with sections 511–513 of title 28, United States Code, and relating to—

(A) subtitles II, III, V, or VI of title 31, United States Code;

(B) the Balanced Budget and Emergency Deficit Control Act of 1985;

(C) the Congressional Budget and Impoundment Control Act of 1974; or

(D) any appropriations Act, continuing resolution, or other provision of law providing or governing appropriations or budget authority.

(2) FINAL OLC OPINION.—The term ''final OLC opinion'' means an OLC opinion that—

(A) the Attorney General, Assistant Attorney General for the Office of Legal Counsel, or a Deputy Assistant Attorney General for the Office of Legal Counsel, has determined is final; or

(B) is cited in another Office of Legal Counsel opinion.

Subtitle C—Strengthening Congressional Role in and Oversight of Emergency Declarations and Designations

SEC. 531. IMPROVING CHECKS AND BALANCES ON THE USE OF THE NATIONAL EMERGENCIES ACT.

(a) REQUIREMENTS RELATING TO DECLARATION AND RENEWAL OF NATIONAL EMERGENCIES.—Title II of the National Emergencies Act (50 U.S.C. 1621 et seq.) is amended by striking sections 201 and 202 and inserting the following:

''SEC. 201. DECLARATIONS OF NATIONAL EMERGENCIES.

''(a) AUTHORITY TO DECLARE NATIONAL EMERGENCIES.—With respect to Acts of Congress authorizing the exercise, during the period of a national emergency, of any special or extraordinary power, the President is authorized to declare such a national emergency by proclamation. Such proclamation shall immediately be transmitted to Congress and published in the Federal Register.

''(b) SPECIFICATION OF PROVISIONS OF LAW TO BE EXERCISED AND REPORTING.—No powers or authorities made available by statute for use during the period of a national emergency shall be exercised unless and until the President specifies the provisions of law under which the President proposes that the President or other officers will act in—

''(1) a proclamation declaring a national emergency under subsection (a); or

''(2) one or more Executive orders relating to the emergency published in the Federal Register and transmitted to Congress.

''(c) PROHIBITION ON SUBSEQUENT ACTIONS IF EMERGENCIES NOT APPROVED.—

''(1) SUBSEQUENT DECLARATIONS.—If a joint resolution of approval is not enacted under section 203 with respect to a national emergency before the expiration of the period described in section 202(a), or with respect to a national emergency proposed to be renewed under section 202(b), the President may not, during the remainder of the term of office of that President, declare a subsequent national emergency under subsection (a) with respect to the same circumstances.

''(2) EXERCISE OF AUTHORITIES.—If a joint resolution of approval is not enacted under section 203 with respect to a power or authority specified by the President under subsection (b) with respect to a national emergency, the President may not, during the remainder of the term of office of that President, exercise that power or authority with respect to that emergency.

''(d) EFFECT OF FUTURE LAWS.—No law enacted after the date of the enactment of the Congressional Power of the Purse Act shall supersede this title unless it does so in specific terms, referring to this title, and declaring that the new law supersedes the provisions of this title.

''SEC. 202. EFFECTIVE PERIODS OF NATIONAL EMERGENCIES.

''(a) TEMPORARY EFFECTIVE PERIODS.—

''(1) IN GENERAL.—Unless previously terminated pursuant to Presidential order or Act of Congress, a declaration of a national emergency shall remain in effect for 20 session days, in the case of the Senate, and 20 legislative days, in the case of the House, from the issuance of the proclamation under section 201(a) (not counting the day on which the proclamation was issued) and shall terminate when that period expires unless there is enacted into law a joint resolution of approval under section 203 with respect to the proclamation.

''(2) EXERCISE OF POWERS AND AUTHORITIES.—Unless the declaration of national emergency has been terminated pursuant to Presidential order or Act of Congress, any emergency power or authority made available under a provision of law specified pursuant to section 201(b) may be exercised pursuant to a declaration of a national emergency for 20 session days, in the case of the Senate, and 20 legislative days, in the case of the House, from the issuance of the proclamation or Executive order (not counting the day on which such proclamation or Executive order was issued). That power or authority may not be exercised after that period expires unless there is enacted into law a joint resolution of approval under section 203 approving—

''(A) the proclamation of the national emergency or the Executive order; and

''(B) the exercise of the power or authority specified by the President in such proclamation or Executive order.

''(b) RENEWAL OF NATIONAL EMERGENCIES.—A national emergency declared by the President under section 201(a) or previously renewed under this subsection, and not already terminated pursuant to subsection (a) or (c), shall terminate on the date that is one year after the President transmitted to Congress the proclamation declaring the emergency or the enactment of a previous renewal pursuant to this subsection, unless—

''(1) the President publishes in the Federal Register and transmits to Congress an Executive order renewing the emergency; and

''(2) there is enacted into law a joint resolution of approval renewing the emergency pursuant to section 203 before the termination of the emergency or previous renewal of the emergency.

''(c) TERMINATION OF NATIONAL EMERGENCIES.—

''(1) IN GENERAL.—Any national emergency declared by the President under section 201(a) shall terminate on the earliest of—

''(A) the date provided for in subsection (a);

''(B) the date provided for in subsection (b);

''(C) the date specified in an Act of Congress terminating the emergency; or

''(D) the date specified in a proclamation of the President terminating the emergency.

''(2) EFFECT OF TERMINATION.—Effective on the date of the termination of a national emergency under paragraph (1)—

''(A) any powers or authorities exercised by reason of the emergency shall cease to be exercised;

''(B) any amounts reprogrammed, repurposed, or transferred under any provision of law with respect to the emergency that remain unobligated on that date shall be returned and made available for the purpose for which such amounts were appropriated; and

''(C) any contracts entered into under any provision of law relating to the emergency shall be terminated.

''SEC. 203. REVIEW BY CONGRESS OF NATIONAL EMERGENCIES.

''(a) JOINT RESOLUTION OF APPROVAL DEFINED.—In this section, the term 'joint resolution of approval' means a joint resolution that does not have a preamble and that contains only the following provisions after its resolving clause:

''(1) A provision approving one or more—

''(A) proclamations of national emergency made under section 201(a);

''(B) Executive orders issued under section 201(b)(2); or

''(C) Executive orders issued under section 202(b).

''(2) A provision approving a list of all or a portion of the provisions of law specified by the President under section 201(b) in the proclamations or Executive orders that are the subject of the joint resolution.

''(b) PROCEDURES FOR CONSIDERATION OF JOINT RESOLUTIONS OF APPROVAL.—

''(1) INTRODUCTION.—After the President transmits to Congress a proclamation declaring a national emergency under section 201(a), or an Executive order specifying emergency powers or authorities under section 201(b)(2) or renewing a national emergency under section 202(b), a joint resolution of approval may be introduced in either House of Congress by any member of that House.

''(2) COMMITTEE REFERRAL IN THE SENATE.—In the Senate, a joint resolution of approval shall be referred to the appropriate committee.

''(3) CONSIDERATION IN SENATE.—In the Senate, the following shall apply:

''(A) COMMITTEE REFERRAL.—A joint resolution of approval shall be referred to the appropriate committee or committees.

''(B) REPORTING AND DISCHARGE.—If the committee to which a joint resolution of approval has been referred has not reported it at the end of 10 calendar days after its introduction, that committee shall be discharged from further consideration of the resolution and it shall be placed on the calendar.

''(C) PROCEEDING TO CONSIDERATION.—Notwithstanding Rule XXII of the Standing Rules of the Senate, when a committee to which a joint resolution of approval is referred has reported the resolution, or when that committee is discharged under subparagraph (B) from further consideration of the resolution, it is at any time thereafter in order to move to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against the motion to proceed to the consideration of the joint resolution) are waived. The motion to proceed shall be debatable for 4 hours evenly divided between proponents and opponents of the joint resolution of approval. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of a joint resolution of approval is agreed to, the joint resolution shall remain the unfinished business of the Senate until disposed of.

''(D) FLOOR CONSIDERATION.—There shall be 10 hours of consideration on a joint resolution of approval, to be divided evenly between the proponents and opponents of the joint resolution. Of that 10 hours, there shall be a total of 2 hours of debate on any debatable motions in connection with the joint resolution, to be divided evenly between the proponents and opponents of the joint resolution.

''(E) AMENDMENTS.—No amendments shall be in order with respect to a joint resolution of approval in the Senate.

''(F) MOTION TO RECONSIDER VOTE ON PASSAGE.—A motion to reconsider a vote on passage of a joint resolution of approval shall not be in order.

''(G) APPEALS.—Points of order and appeals from the decision of the Presiding Officer shall be decided without debate.

''(4) CONSIDERATION IN HOUSE OF REPRESENTATIVES.—In the House of Representatives, the following shall apply:

''(A) REPORTING AND DISCHARGE.—If any committee to which a joint resolution of approval has been referred has not reported it to the House within seven legislative days after the date of referral such committee shall be discharged from further consideration of the joint resolution.

''(B)(i) PROCEEDING TO CONSIDERATION.—Beginning on the third legislative day after each committee to which a joint resolution of approval has been referred reports it to the House or has been discharged from further consideration thereof, it shall be in order to move to proceed to consider the joint resolution of approval in the House. All points of order against the motion are waived. Such a motion shall not be in order after the House has disposed of a motion to proceed on the joint resolution of approval. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. The motion shall not be debatable. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

''(ii) MOTION.—A motion to proceed to the consideration of a joint resolution of approval of an Executive order described in subsection (a)(1) or a list described in subsection (a)(2) shall not be in order prior to the enactment of a joint resolution of approval of the proclamation described in subsection (a)(1) that is the subject of such Executive order or list.

''(C) CONSIDERATION.—The joint resolution of approval shall be considered as read. All points of order against the joint resolution of approval and against its consideration are waived. The previous question shall be considered as ordered on the joint resolution of approval to final passage without intervening motion except two hours of debate equally divided and controlled by the sponsor of the joint resolution of approval (or a designee) and an opponent. A motion to reconsider the vote on passage of the joint resolution of approval shall not be in order.

''(5) COORDINATION WITH ACTION BY OTHER HOUSE.—

''(A) IN GENERAL.—If, before the passage by one House of a joint resolution of approval of that House, that House receives from the other House a joint resolution of approval with regard to the same proclamation or Executive order, then the following procedures shall apply:

''(i) The joint resolution of approval of the other House shall not be referred to a committee.

''(ii) With respect to a joint resolution of approval of the House receiving the joint resolution—

''(I) the procedure in that House shall be the same as if no joint resolution of approval had been received from the other House; but

''(II) the vote on passage shall be on the joint resolution of approval of the other House.

''(iii) Upon the failure of passage of the joint resolution of approval of the other House, the question shall immediately occur on passage of the joint resolution of approval of the receiving House.

''(B) TREATMENT OF LEGISLATION OF OTHER HOUSE.—If one House fails to introduce a joint resolution of approval under this section, the joint resolution of approval of the other House shall be entitled to expedited floor procedures under this section.

''(C) APPLICATION TO REVENUE MEASURES.—The provisions of this paragraph shall not apply in the House of Representatives to a joint resolution of approval which is a revenue measure.

''(6) TREATMENT OF VETO MESSAGE.—Debate on a veto message in the Senate under this section shall be 1 hour evenly divided between the majority and minority leaders or their designees.

''(c) RULE OF CONSTRUCTION.—The enactment of a joint resolution of approval under this section shall not be interpreted to serve as a grant or modification by Congress of statutory authority for the emergency powers of the President.

''(d) RULES OF THE HOUSE AND SENATE.—This section is enacted by Congress—

''(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in the House in the case of joint resolutions described in this section, and supersedes other rules only to the extent that it is inconsistent with such other rules; and

''(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

"SEC. 204. EXCLUSION OF CERTAIN NATIONAL EMERGENCIES INVOKING INTERNATIONAL EMERGENCY ECONOMIC POWERS ACT.

''(a) IN GENERAL.—In the case of a national emergency described in subsection (b), the provisions of the National Emergencies Act, as in effect on the day before the date of the enactment of the Congressional Power of the Purse Act, shall continue to apply on and after such date of enactment.

''(b) NATIONAL EMERGENCY DESCRIBED.—

''(1) IN GENERAL.—A national emergency described in this subsection is a national emergency pursuant to which the President proposes to exercise emergency powers or authorities made available under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), supplemented as necessary by a provision of law specified in paragraph (2).

''(2) PROVISIONS OF LAW SPECIFIED.—The provisions of law specified in this paragraph are—

''(A) the United Nations Participation Act of 1945 (22 U.S.C. 287 et seq.);

''(B) section 212(f) of the Immigration and Nationality Act (8 U.S.C. 1182(f)); or

''(C) any provision of law that authorizes the implementation, imposition, or enforcement of economic sanctions with respect to a foreign country.

''(c) EFFECT OF ADDITIONAL POWERS AND AUTHORITIES.—Subsection (a) shall not apply to a national emergency or the exercise of emergency powers and authorities pursuant to the national emergency if, in addition to the exercise of emergency powers and authorities described in subsection (b), the President proposes to exercise, pursuant to the national emergency, any emergency powers and authorities under any other provision of law.''.

(b) REPORTING REQUIREMENTS.—Section 401 of the National Emergencies Act (50 U.S.C. 1641) is amended by adding at the end the following:

''(d) REPORT ON EMERGENCIES.—The President shall transmit to Congress, with any proclamation declaring a national emergency under section 201(a) or any Executive order specifying emergency powers or authorities under section 201(b)(2) or renewing a national emergency under section 202(b), a report, in writing, that includes the following:

''(1) A description of the circumstances necessitating the declaration of a national emergency, the renewal of such an emergency, or the use of a new emergency authority specified in the Executive order, as the case may be.

''(2) The estimated duration of the national emergency, or a statement that the duration of the national emergency cannot reasonably be estimated at the time of transmission of the report.

''(3) A summary of the actions the President or other officers intend to take, including any reprogramming or transfer of funds and any contracts anticipated to be entered into, and the statutory authorities the President and such officers expect to rely on in addressing the national emergency.

''(4) In the case of a renewal of a national emergency, a summary of the actions the President or other officers have taken in the preceding one-year period, including any reprogramming or transfer of funds, to address the emergency.

''(e) PROVISION OF INFORMATION TO CONGRESS.—The President shall provide to Congress such other information as Congress may request in connection with any national emergency in effect under title II.

''(f) PERIODIC REPORTS ON STATUS OF EMERGENCIES.—If the President declares a national emergency under section 201(a), the President shall, not less frequently than every 3 months for the duration of the emergency, report to Congress on the status of the emergency and the actions the President or other officers have taken and authorities the President and such officers have relied on in addressing the emergency.''.

(d) CONFORMING AMENDMENTS.—

(1) NATIONAL EMERGENCIES ACT.—Title III of the National Emergencies Act (50 U.S.C. 1631) is repealed.

(2) INTERNATIONAL EMERGENCY ECONOMIC POWERS ACT.—Section 207 of the International Emergency Economic Powers Act (50 U.S.C. 1706) is amended by adding at the end the following:

''(c) In this section, the term 'National Emergencies Act' means the National Emergencies Act, as in effect on the day before the date of the enactment of the Congressional Power of the Purse Act.''.

(e) EFFECTIVE DATE; APPLICABILITY.—

(1) IN GENERAL.—Except as provided in paragraph (2), this section and the amendments made by this section shall take effect upon enactment and apply with respect to national emergencies declared under section 201 of the National Emergencies Act on or after that date.

(2) APPLICABILITY TO RENEWALS OF EXISTING EMERGENCIES.—When a national emergency declared under section 201 of the National Emergencies Act before the date of the enactment of the Congressional Power of the Purse Act would expire or be renewed under section 202(d) of that Act (as in effect on the day before such date of enactment), that national emergency shall be subject to the requirements for renewal under section 202(b) of that Act, as amended by subsection (a).

SEC. 532. NATIONAL EMERGENCIES ACT DECLARATION SPENDING REPORTING IN THE PRESIDENT'S BUDGET.

Section 1105(a) of title 31, United States Code, as amended by section 514, is further amended by adding at the end the following:

''(44)(A) a report on the proposed, planned, and actual obligations and expenditures of funds (for the prior fiscal year, the current fiscal year, and the fiscal years for which the budget is submitted) attributable to the exercise of powers and authorities made available by statute for each national emergency declared by the President, currently active or in effect during the applicable fiscal years.

''(B) Obligations and expenditures contained in the report under subparagraph (A) shall be organized by Treasury Appropriation Fund Symbol or fund account and by program, project, and activity, and include—

''(i) a description of each such program, project, and activity;

''(ii) the authorities under which such funding actions are taken; and

''(iii) the purpose and progress of such obligations and expenditures toward addressing the applicable national emergency.

''(C) Such report shall include, with respect to any transfer, reprogramming, or repurposing of funds to address the applicable national emergency—

''(i) the amount of such transfer, reprogramming, or repurposing;

''(ii) the authority authorizing each such transfer, reprogramming, or repurposing; and

''(iii) a description of programs, projects, and activities affected by such transfer, reprogramming, or repurposing, including by a reduction in funding.''.

SEC. 533. DISCLOSURE TO CONGRESS OF PRESIDENTIAL EMERGENCY ACTION DOCUMENTS.

(a) IN GENERAL.—Not later than 30 days after the conclusion of the process for approval, adoption, or revision of any presidential emergency action document, the President shall submit that document to the appropriate congressional committees.

(b) DOCUMENTS IN EXISTENCE BEFORE DATE OF ENACTMENT.—Not later than 15 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees all presidential emergency action documents in existence before such date of enactment.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'', with respect to a presidential emergency action document submitted under subsection (a) or (b), means—

(A) the Committee on Homeland Security and Governmental Affairs, the Committee on the Judiciary, and the Select Committee on Intelligence of the Senate;

(B) the Committee on Oversight and Reform, the Committee on the Judiciary, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(C) any other committee of the Senate or the House of Representatives with jurisdiction over the subject matter addressed in the presidential emergency action document.

(2) PRESIDENTIAL EMERGENCY ACTION DOCUMENT.—The term ''presidential emergency action document'' refers to—

(A) each of the approximately 56 documents described as presidential emergency action documents in the budget justification materials for the Office of Legal Counsel of the Department of Justice submitted to Congress in support of the budget of the President for fiscal year 2018; and

(B) any other pre-coordinated legal document in existence before, on, or after the date of the enactment of this Act, that—

(i) is designated as a presidential emergency action document; or

(ii) is designed to implement a presidential decision or transmit a presidential request when an emergency disrupts normal governmental or legislative processes.

SEC. 534. CONGRESSIONAL DESIGNATIONS.

(a) REPEAL OF OVERSEAS CONTINGENCY OPERATIONS/GLOBAL WAR ON TERRORISM DESIGNATION.—Section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)) is amended—

(1) in the subparagraph heading, by striking ''; OVERSEAS CONTINGENCY OPERATIONS/GLOBAL WAR ON TERRORISM''; and

(2) by striking ''that—'' and all that follows through the period at the end and inserting the following: ''that the Congress designates as emergency requirements in statute, the adjustment shall be the total of such appropriations in discretionary accounts designated as emergency requirements.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the later of October 1, 2021 or the date of enactment of this Act.

TITLE VI—SECURITY FROM POLITICAL INTERFERENCE IN JUSTICE

SEC. 601. SHORT TITLE.

This title may be cited as the ''Security from Political Interference in Justice Act of 2020''.

SEC. 602. DEFINITIONS.

In this title:

(1) COMMUNICATIONS LOG.—The term ''communications log'' means the log required to be maintained under section 603(a).

(2) COVERED COMMUNICATION.—

(A) IN GENERAL.—The term ''covered communication'' means any communication relating to any contemplated or ongoing investigation or litigation conducted by the Department of Justice in any civil or criminal matter (regardless of whether a civil action or criminal indictment or information has been filed); and

(B) EXCEPTIONS.—The term does not include a communication that is any of the following:

(i) A communication that involves contact between the President, the Vice President, the Counsel to the President, or the Principal Deputy Counsel to the President, and the Attorney General, the Deputy Attorney General, or the Associate Attorney General, except to the extent that the communication concerns a contemplated or ongoing investigation or litigation in which a target or subject is one of the following:

(I) The President, the Vice President, or a member of the immediate family of the President or Vice President.

(II) Any individual working in the Executive Office of the President who is compensated at a rate of pay at or above level II of the Executive Schedule under section 5313 of title 5, United States Code.

(III) The current or former chair or treasurer of any national campaign committee that sought the election or seeks the reelection of the President, or any officer of such a committee exercising authority at the national level, during the tenure in office of the President.

(ii) A communication that involves contact between an officer or employee of the Department of Justice and an officer or employee of the Executive Office of the President on a particular matter, if any of the President, the Vice President, the Counsel to the President, or the Principal Deputy Counsel to the President, and if any of the Attorney General, the Deputy Attorney General, or the Associate Attorney General have designated a subordinate to carry on such contact, and the person so designating monitors all subsequent communications and the person designated keeps the designating person informed of each such communication, except to the extent that the communication concerns a contemplated or ongoing investigation or litigation in which a target or subject is one of the following:

(I) The President, the Vice President, or a member of the immediate family of the President or Vice President.

(II) Any individual working in the Executive Office of the President who is compensated at a rate of pay at or above level II of the Executive Schedule under section 5313 of title 5, United States Code.

(III) The current or former chair or treasurer of any national campaign committee that sought the election or seeks the reelection of the President, or any officer of such a committee exercising authority at the national level, during the tenure in office of the President.

(iii) A communication that involves contact from or to the Deputy Counsel to the President for National Security Affairs, the staff of the National Security Council, and the staff of the Homeland Security Council that relates to a national security matter, except to the extent that the communication concerns a pending adversary case in litigation that may have national security implications.

(iv) A communication that involves contact between the Office of the Pardon Attorney of the Department of Justice and the Counsel to the President or the Deputy Counsels to the President relating to pardon matters.

(v) A communication that relates solely to policy, appointments, legislation, rulemaking, budgets, public relations or affairs, programmatic matters, intergovernmental relations, administrative or personnel matters, appellate litigation, or requests for legal advice.

(3) IMMEDIATE FAMILY.—The term ''immediate family of the President or Vice President'' means those persons to whom the President or Vice President—

(A) is related by blood, marriage, or adoption; or

(B) stands in loco parentis.

SEC. 603. COMMUNICATIONS LOGS.

(a) IN GENERAL.—The Attorney General shall maintain a log of covered communications.

(b) CONTENTS.—A communications log shall include, with respect to a covered communication—

(1) the name and title of each officer or employee of the Department of Justice or the Executive Office of the President who participated in the covered communication;

(2) the topic of the covered communication; and

(3) a statement describing the purpose and necessity of the covered communication.

(c) OVERSIGHT.—

(1) PERIODIC DISCLOSURE OF LOGS.—Not later than January 30 and July 30 of each year, the Attorney General shall submit to the Office of the Inspector General of the Department of Justice a report containing the communications log for the 6-month period preceding that January or July.

(2) NOTICE OF INAPPROPRIATE OR IMPROPER COMMUNICATIONS.—The Office of the Inspector General of the Department of Justice shall—

(A) review each communications log received under paragraph (1)(A); and

(B) notify the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate if the Inspector General determines that a covered communication described in the communications log—

(i) is inappropriate from a law enforcement perspective; or

(ii) raises concerns about improper political interference.

(d) RULE OF CONSTRUCTION.—Nothing in this section may be construed to limit the valid written assertion by the President of presidential communications privilege with regard to any material required to be submitted under this section.

SEC. 604. RULE OF CONSTRUCTION.

Nothing in this title may be construed to affect any requirement to report pursuant to title I of this Act, or the amendments made by that title.

TITLE VII—PROTECTING INSPECTOR GENERAL INDEPENDENCE

Subtitle A—Requiring Cause for Removal

SEC. 701. SHORT TITLE.

This subtitle may be cited as the ''Inspector General Independence Act''.

SEC. 702. AMENDMENT.

The Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in section 3(b)—

(A) by striking ''An Inspector General'' and inserting ''(1) An Inspector General'';

(B) by inserting after ''by the President'' the following: ''in accordance with paragraph (2)''; and

(C) by inserting at the end the following new paragraph:

''(2) The President may remove an Inspector General only for any of the following grounds (and the documentation of any such ground shall be included in the communication required pursuant to paragraph (1)):

''(A) Documented permanent incapacity.

''(B) Documented neglect of duty.

''(C) Documented malfeasance.

''(D) Documented conviction of a felony or conduct involving moral turpitude.

''(E) Documented knowing violation of a law or regulation.

''(F) Documented gross mismanagement.

''(G) Documented gross waste of funds.

''(H) Documented abuse of authority.

''(I) Documented inefficiency.''; and

(2) in section 8G(e)(2), by adding at the end the following new sentence: ''An Inspector General may be removed only for any of the following grounds (and the documentation of any such ground shall be included in the communication required pursuant to this paragraph):

''(A) Documented permanent incapacity.

''(B) Documented neglect of duty.

''(C) Documented malfeasance.

''(D) Documented conviction of a felony or conduct involving moral turpitude.

''(E) Documented knowing violation of a law or regulation.

''(F) Documented gross mismanagement.

''(G) Documented gross waste of funds.

''(H) Documented abuse of authority.

''(I) Documented inefficiency.''.

SEC. 703. REMOVAL OR TRANSFER REQUIREMENTS.

(a) REASONS FOR REMOVAL OR TRANSFER.—Section 3(b) of the Inspector General Act of 1978 (5 U.S.C. App.), as amended by section 702, is further amended—

(1) in paragraph (1), by striking ''reasons'' and inserting ''substantive rationale, including detailed and case-specific reasons,''; and

(2) by inserting at the end the following new paragraph:

''(3) If there is an open or completed inquiry into an Inspector General that relates to the removal or transfer of the Inspector General under paragraph (1), the written communication required under that paragraph shall—

''(A) identify each entity that is conducting, or that conducted, the inquiry; and

''(B) in the case of a completed inquiry, contain the findings made during the inquiry.''.

(b) REASONS FOR REMOVAL OR TRANSFER FOR DESIGNATED FEDERAL ENTITIES.—Section 8G(e) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in paragraph (2), by striking ''reasons'' and inserting ''substantive rationale, including detailed and case-specific reasons,''; and

(2) by inserting at the end the following new paragraph:

''(3) If there is an open or completed inquiry into an Inspector General that relates to the removal or transfer of the Inspector General under paragraph (2), the written communication required under that paragraph shall—

''(A) identify each entity that is conducting, or that conducted, the inquiry; and

''(B) in the case of a completed inquiry, contain the findings made during the inquiry.''.

Subtitle B—Inspectors General of Intelligence Community

SEC. 711. INDEPENDENCE OF INSPECTORS GENERAL OF THE INTELLIGENCE COMMUNITY.

(a) IN GENERAL.—The National Security Act of 1947 (50 U.S.C. 3001 et seq.) is amended by adding at the end the following new title:

''TITLE XII—MATTERS REGARDING INSPECTORS GENERAL OF ELEMENTS OF THE INTELLIGENCE COMMUNITY

''Subtitle A—Inspectors General

''SEC. 1201. INDEPENDENCE OF INSPECTORS GENERAL.

''(a) REMOVAL.—A covered Inspector General may be removed from office only by the head official. The head official may remove a covered Inspector General only for any of the following grounds:

''(1) Documented permanent incapacity.

''(2) Documented neglect of duty.

''(3) Documented malfeasance.

''(4) Documented conviction of a felony or conduct involving moral turpitude.

''(5) Documented knowing violation of a law or regulation.

''(6) Documented gross mismanagement.

''(7) Documented gross waste of funds.

''(8) Documented abuse of authority.

''(9) Documented Inefficiency.

''(b) ADMINISTRATIVE LEAVE.—A covered Inspector General may be placed on administrative leave only by the head official. The head official may place a covered Inspector General on administrative leave only for any of the grounds specified in subsection (a).

''(c) NOTIFICATION.—The head official may not remove a covered Inspector General under subsection (a) or place a covered Inspector General on administrative leave under subsection (b) unless—

''(1) the head official transmits in writing to the appropriate congressional committees a notification of such removal or placement, including an explanation of the documented grounds specified in subsection (a) for such removal or placement; and

''(2) with respect to the removal of a covered Inspector General, a period of 30 days elapses following the date of such transmittal.

''(d) REPORT.—Not later than 30 days after the date on which the head official notifies a covered Inspector General of being removed under subsection (a) or placed on administrative leave under subsection (b), the office of that Inspector General shall submit to the appropriate congressional committees a report containing—

''(1) a description of the facts and circumstances of any pending complaint, investigation, inspection, audit, or other review or inquiry, including any information, allegation, or complaint reported to the Attorney General in accordance with section 535 of title 28, United States Code, that the Inspector General was working on as of the date of such removal or placement; and

''(2) any other significant matter that the office of the Inspector General determines appropriate.

''(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit a personnel action of a covered Inspector General otherwise authorized by law, other than transfer or removal.

''(f) DEFINITIONS.—In this section:

''(1) ADMINISTRATIVE LEAVE.—The term 'administrative leave' includes any other type of paid or unpaid non-duty status.

''(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means—

''(A) the congressional intelligence committees; and

''(B) the Committee on Oversight and Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate.

''(3) HEAD OFFICIAL.—The term 'head official' means—

''(A) with respect to the position of a covered Inspector General that requires appointment by the President, by and with the advice and consent of the Senate, the President; and

''(B) with respect to the position of a covered Inspector General that requires appointment by a head of a department or agency of the Federal Government, the head of such department or agency.''.

(b) DEFINITION.—Section 3 of such Act (50 U.S.C. 3003) is amended by adding at the end the following new paragraph:

''(8) The term 'covered Inspector General' means each of the following:

''(A) The Inspector General of the Intelligence Community.

''(B) The Inspector General of the Central Intelligence Agency.

''(C) The Inspector General of the Defense Intelligence Agency.

''(D) The Inspector General of the National Reconnaissance Office.

''(E) The Inspector General of the National Geospatial-Intelligence Agency.

''(F) The Inspector General of the National Security Agency.''.

(c) CLERICAL AMENDMENTS.—The table of sections at the beginning of the National Security Act of 1947 is amended by adding after the items relating to title XI the end the following new items:

''TITLE XII—MATTERS REGARDING INSPECTORS GENERAL OF ELEMENTS OF THE INTELLIGENCE COMMUNITY

''SUBTITLE A—INSPECTORS GENERAL

''Sec. 1201. Independence of Inspectors General.''.

SEC. 712. AUTHORITY OF INSPECTORS GENERAL OF THE INTELLIGENCE COMMUNITY TO DETERMINE MATTERS OF URGENT CONCERN.

(a) DETERMINATION.—

(1) IN GENERAL.—Title XII of the National Security Act of 1947, as added by section 711, is amended by inserting after section 1201 the following new section:

''SEC. 1203. DETERMINATION OF MATTERS OF URGENT CONCERN.

''(a) DETERMINATION.—Each covered Inspector General shall have sole authority to determine whether any complaint or information reported to the Inspector General is a matter of urgent concern. Such determination is final and conclusive.

''(b) FOREIGN INTERFERENCE IN ELECTIONS.—In addition to any other matter which is considered an urgent concern pursuant to section 103H(k)(5)(G), section 17(d)(5)(G) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3517(d)(5)(G)), or other applicable provision of law, the term 'urgent concern' includes a serious or flagrant problem, abuse, violation of law or Executive order, or deficiency relating to foreign interference in elections in the United States.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of the National Security Act of 1947 is amended by inserting after the item relating to section 1201, as added by section 711, the following new item:

''Sec. 1203. Determination of matters of urgent concern.''.

(b) CONFORMING AMENDMENTS.—

(1) INTELLIGENCE COMMUNITY.—Section 103H(k)(5)(G) of the National Security Act of 1947 (50 U.S.C. 3033(k)(5)(G)) is amended by striking ''In this paragraph'' and inserting ''In accordance with section 1203, in this paragraph''.

(2) CENTRAL INTELLIGENCE AGENCY.—Section 17(d)(5)(G) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3517(d)(5)(G)) is amended by striking ''In this paragraph'' and inserting ''In accordance with section 1203 of the National Security Act of 1947, in this paragraph''.

(c) REPORTS ON UNRESOLVED DIFFERENCES.—Paragraph (3) of section 103H(k) of the National Security Act of 1947 (50 U.S.C. 3033(k)) is amended by adding at the end the following new subparagraph:

''(C) With respect to each report submitted pursuant to subparagraph (A)(i), the Inspector General shall include in the report, at a minimum—

''(i) a general description of the unresolved differences, the particular duties or responsibilities of the Inspector General involved, and, if such differences relate to a complaint or information under paragraph (5), a description of the complaint or information and the entities or individuals identified in the complaint or information; and

''(ii) to the extent such differences can be attributed not only to the Director but also to any other official, department, agency, or office within the executive branch, or a component thereof, the titles of such official, department, agency, or office.''.

(d) CLARIFICATION OF ROLE OF DIRECTOR OF NATIONAL INTELLIGENCE.—Section 102A(f)(1) of such Act (50 U.S.C. 3024(f)(1)) is amended—

(1) by redesignating subparagraph (B) as subparagraph (C); and

(2) by inserting after subparagraph (A) the following new subparagraph:

''(B) The authority of the Director of National Intelligence under subparagraph (A) includes coordinating and supervising activities undertaken by elements of the intelligence community for the purpose of protecting the United States from any foreign interference in elections in the United States.''.

SEC. 713. CONFORMING AMENDMENTS AND COORDINATION WITH OTHER PROVISIONS OF LAW.

(a) INTELLIGENCE COMMUNITY.—Paragraph (4) of section 103H(c) of the National Security Act of 1947 (50 U.S.C. 3033(c)) is amended to read as follows:

''(4) The provisions of title XII shall apply to the Inspector General with respect to the removal of the Inspector General and any other matter relating to the Inspector General as specifically provided for in such title.''.

(b) CENTRAL INTELLIGENCE AGENCY.—Paragraph (6) of section 17(b) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3517(b)) is amended to read as follows:

''(6) The provisions of title XII of the National Security Act of 1947 shall apply to the Inspector General with respect to the removal of the Inspector General and any other matter relating to the Inspector General as specifically provided for in such title.''.

(c) OTHER ELEMENTS.—

(1) IN GENERAL.—Title XII of the National Security Act of 1947, as added by section 711, is further amended by inserting after section 1203, as added by section 712(a), the following new section:

''SEC. 1205. COORDINATION WITH OTHER PROVISIONS OF LAW.

''No provision of law that is inconsistent with any provision of this title shall be considered to supersede, repeal, or otherwise modify a provision of this title unless such other provision of law specifically cites a provision of this title in order to supersede, repeal, or otherwise modify that provision of this title.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of the National Security Act of 1947 is amended by inserting after the item relating to section 1203, as added by section 713, the following new item:

''Sec. 1205. Coordination with other provisions of law.''.

Subtitle C—Congressional Notification

SEC. 721. SHORT TITLE.

This subtitle may be cited as the ''Inspector General Protection Act''.

SEC. 722. CHANGE IN STATUS OF INSPECTOR GENERAL OFFICES.

(a) CHANGE IN STATUS OF INSPECTOR GENERAL OF OFFICE.—Paragraph (1) of section 3(b) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) by inserting '', is placed on paid or unpaid non-duty status,'' after ''is removed from office'';

(2) by inserting '', change in status,'' after ''any such removal''; and

(3) by inserting '', change in status,'' after ''before the removal''.

(b) CHANGE IN STATUS OF INSPECTOR GENERAL OF DESIGNATED FEDERAL ENTITY.—Section 8G(e)(2) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) by inserting '', is placed on paid or unpaid non-duty status,'' after ''office'';

(2) by inserting '', change in status,'' after ''any such removal''; and

(3) by inserting '', change in status,'' after ''before the removal''.

(c) EXCEPTION TO REQUIREMENT TO SUBMIT COMMUNICATION RELATING TO CERTAIN CHANGES IN STATUS.—

(1) COMMUNICATION RELATING TO CHANGE IN STATUS OF INSPECTOR GENERAL OF OFFICE.—Section 3(b) of the Inspector General Act of 1978 (5 U.S.C. App.), as amended by section 702(1), is further amended—

(A) in paragraph (1), by striking ''If'' and inserting ''Except as provided in paragraph (4), if''; and

(B) by adding at the end the following:

''(4) If an Inspector General is placed on paid or unpaid non-duty status, the President may submit the communication described in paragraph (1) to Congress later than 30 days before the Inspector General is placed on paid or unpaid non-duty status, but in any case not later than the date on which the placement takes effect, if—

''(A) the President determines that a delay in placing the Inspector General on paid or unpaid non-duty status would—

''(i) pose a threat to the Inspector General or others;

''(ii) result in the destruction of evidence relevant to an investigation; or

''(iii) result in loss of or damage to Government property;

''(B) in the communication, the President includes—

''(i) a specification of which clause the President relied on to make the determination under subparagraph (A);

''(ii) the substantive rationale, including detailed and case-specific reasons, for such determination;

''(iii) if the President relied on an inquiry to make such determination, an identification of each entity that is conducting, or that conducted, such inquiry; and

''(iv) if an inquiry described in clause (iii) is completed, the findings of that inquiry.

''(5) The President may not place an Inspector General on paid or unpaid non-duty status during the 30-day period preceding the date on which the Inspector General is removed or transferred under paragraph (1) unless the President—

''(A) determines that not placing the Inspector General on paid or unpaid non-duty status would—

''(i) pose a threat to the Inspector General or others;

''(ii) result in the destruction of evidence relevant to an investigation; or

''(iii) result in loss of or damage to Government property; and

''(B) on or before the date on which the placement takes effect, submits to the Committee in the House of Representatives and the Committee in the Senate that has jurisdiction over the Inspector General involved, the Committee on Oversight and Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate, a written communication that contains the following information—

''(i) a specification of which clause under subparagraph (A) the President relied on to make the determination under such subparagraph;

''(ii) the substantive rationale, including detailed and case-specific reasons, for such determination;

''(iii) if the President relied on an inquiry to make such determination, an identification of each entity that is conducting, or that conducted, such inquiry; and

''(iv) if an inquiry described in clause (iii) is completed, the findings of that inquiry.''.

(2) COMMUNICATION RELATING TO CHANGE IN STATUS OF INSPECTOR GENERAL OF DESIGNATED FEDERAL ENTITY.—Section 8G(e) of the Inspector General Act Inspector General Act of 1978 (5 U.S.C. App.), as amended by section 702(2), is further amended—

(A) in paragraph (2), by striking ''If'' and inserting ''Except as provided in paragraph (4), if''; and

(B) by adding at the end the following:

''(4) If an Inspector General is placed on paid or unpaid non-duty status, the head of a designated Federal entity may submit the communication described in paragraph (2) to Congress later than 30 days before the Inspector General is placed on paid or unpaid non-duty status, but in any case not later than the date on which the placement takes effect, if—

''(A) the head determines that a delay in placing the Inspector General on paid or unpaid non-duty status would—

''(i) pose a threat to the Inspector General or others;

''(ii) result in the destruction of evidence relevant to an investigation; or

''(iii) result in loss of or damage to Government property;

''(B) in the communication, the head includes—

''(i) a specification of which clause under subparagraph (A) the head relied on to make the determination under such subparagraph;

''(ii) the substantive rationale, including detailed and case-specific reasons, for such determination;

''(iii) if the head relied on an inquiry to make such determination, an identification of each entity that is conducting, or that conducted, such inquiry; and

''(iv) if an inquiry described in clause (iii) is completed, the findings of that inquiry.

''(5) The head may not place an Inspector General on paid or unpaid non-duty status during the 30-day period preceding the date on which the Inspector General is removed or transferred under paragraph (2) unless the head—

''(A) determines that not placing the Inspector General on paid or unpaid non-duty status would—

''(i) pose a threat to the Inspector General or others;

''(ii) result in the destruction of evidence relevant to an investigation; or

''(iii) result in loss of or damage to Government property; and

''(B) on or before the date on which the placement takes effect, submits to the Committee in the House of Representatives and the Committee in the Senate that has jurisdiction over the Inspector General involved, the Committee on Oversight and Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate, a written communication that contains the following information—

''(i) a specification of which clause under subparagraph (A) the head relied on to make the determination under such subparagraph;

''(ii) the substantive rationale, including detailed and case-specific reasons, for such determination;

''(iii) if the head relied on an inquiry to make such determination, an identification of each entity that is conducting, or that conducted, such inquiry; and

''(iv) if an inquiry described in clause (iii) is completed, the findings of that inquiry.''.

(d) APPLICATION.—The amendments made by this section shall apply with respect to removals, transfers, and changes of status occurring on or after the date that is 30 days after the date of the enactment of this Act.

SEC. 723. PRESIDENTIAL EXPLANATION OF FAILURE TO NOMINATE AN INSPECTOR GENERAL.

(a) IN GENERAL.—Subchapter III of chapter 33 of title 5, United States Code, is amended by inserting after section 3349d the following new section:

''§ 3349e. Presidential explanation of failure to nominate an Inspector General

''If the President fails to make a formal nomination for a vacant Inspector General position that requires a formal nomination by the President to be filled within the period beginning on the date on which the vacancy occurred and ending on the day that is 210 days after that date, the President shall communicate, within 30 days after the end of such period, to Congress in writing—

''(1) the reasons why the President has not yet made a formal nomination; and

''(2) a target date for making a formal nomination.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 33 of title 5, United States Code, is amended by inserting after the item relating to 3349d the following new item:

''3349e. Presidential explanation of failure to nominate an Inspector General.''.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to any vacancy first occurring on or after that date.

TITLE VIII—PROTECTING WHISTLEBLOWERS

Subtitle A—Whistleblower Protection Improvement

SEC. 801. SHORT TITLE.

This title may be cited as the ''Whistleblower Protection Improvement Act of 2021''.

SEC. 802. ADDITIONAL WHISTLEBLOWER PROTECTIONS.

(a) INVESTIGATIONS AS PERSONNEL ACTIONS.—

(1) IN GENERAL.—Section 2302(a)(2)(A) of title 5, United States Code, is amended—

(A) in clause (xi), by striking ''and'' at the end;

(B) by redesignating clause (xii) as clause (xiii); and

(C) by inserting after the clause (xi) the following:

''(xii) for purposes of subsection (b)(8)—

''(I) the commencement, expansion, or extension of an investigation, but not including any investigation that is ministerial or nondiscretionary (including a ministerial or nondiscretionary investigation described in section 1213) or any investigation that is conducted by an Inspector General of an entity of the Government of an employee not employed by the office of that Inspector General; and

''(II) a referral to an Inspector General of an entity of the Government, except for a referral that is ministerial or nondiscretionary; and''.

(2) APPLICATION.—The amendment made by paragraph (1) shall apply to any investigation opened, or referral made, as described under clause (xii) of section 2302(a)(2)(A) of title 5, United States Code, as added by such paragraph, on or after the date of enactment of this Act.

(b) RIGHT TO PETITION CONGRESS.—

(1) IN GENERAL.—Section 2302(b)(9) of title 5, United States Code, is amended—

(A) in subparagraph (C), by striking ''or'' at the end;

(B) in subparagraph (D), by adding ''or'' after the semicolon at the end; and

(C) by adding at the end the following:

''(E) the exercise of any right protected under section 7211;''.

(2) APPLICATION.—The amendment made by paragraph (1) shall apply to the exercise of any right described in section 2302(b)(9)(E) of title 5, United States Code, as added by paragraph (1), occurring on or after the date of enactment of this Act.

(c) PROHIBITION ON DISCLOSURE OF WHISTLEBLOWER IDENTITY.—

(1) IN GENERAL.—Section 2302 of title 5, United States Code, is amended by adding at the end the following:

''(g)(1) No employee of an agency may willfully communicate or transmit to any individual who is not an officer or employee of the Government the identity of, or personally identifiable information about, any other employee because that other employee has made, or is suspected to have made, a disclosure protected by subsection (b)(8), unless—

''(A) the other employee provides express written consent prior to the communication or transmission of their identity or personally identifiable information;

''(B) the communication or transmission is made in accordance with the provisions of section 552a;

''(C) the communication or transmission is made to a lawyer for the sole purpose of providing legal advice to an employee accused of whistleblower retaliation; or

''(D) the communication or transmission is required or permitted by any other provision of law.

''(2) In this subsection, the term 'officer or employee of the Government' means—

''(A) the President;

''(B) a Member of Congress;

''(C) a member of the uniformed services;

''(D) an employee as that term is defined in section 2105, including an employee of the United States Postal Service, the Postal Regulatory Commission, or the Department of Veterans Affairs (including any employee appointed pursuant to chapter 73 or 74 of title 38); and

''(E) any other officer or employee in any branch of the Government of the United States.''.

(2) APPLICATION.—The amendment made by paragraph (1) shall apply to any transmission or communication described in subsection (g) of section 2302 of title 5, United States Code, as added by paragraph (1), made on or after the date of enactment of this Act.

(d) RIGHT TO PETITION CONGRESS.—

(1) IN GENERAL.—Section 7211 of title 5, United States Code, is amended to read as follows:

''§ 7211. Employees' right to petition or furnish information or respond to Congress

''(a) IN GENERAL.—Each officer or employee of the Federal Government, individually or collectively, has a right to—

''(1) petition Congress or a Member of Congress;

''(2) furnish information, documents, or testimony to either House of Congress, any Member of Congress, or any committee or subcommittee of the Congress; or

''(3) respond to any request for information, documents, or testimony from either House of Congress or any Committee or subcommittee of Congress.

''(b) PROHIBITED ACTIONS.—No officer or employee of the Federal Government may interfere with or deny the right set forth in subsection (a), including by—

''(1) prohibiting or preventing, or attempting or threatening to prohibit or prevent, any other officer or employee of the Federal Government from engaging in activity protected in subsection (a); or

''(2) removing, suspending from duty without pay, demoting, reducing in rank, seniority, status, pay, or performance or efficiency rating, denying promotion to, relocating, reassigning, transferring, disciplining, or discriminating in regard to any employment right, entitlement, or benefit, or any term or condition of employment of, any other officer or employee of the Federal Government or attempting or threatening to commit any of the foregoing actions protected in subsection (a).

''(c) APPLICATION.—This section shall not be construed to authorize disclosure of any information that is—

''(1) specifically prohibited from disclosure by any other provision of Federal law; or

''(2) specifically required by Executive order to be kept secret in the interest of national defense or the conduct of foreign affairs, unless disclosure is otherwise authorized by law.

''(d) DEFINITION OF OFFICER OR EMPLOYEE OF THE FEDERAL GOVERNMENT.—For purposes of this section, the term 'officer or employee of the Federal Government' includes—

''(1) the President;

''(2) a Member of Congress;

''(3) a member of the uniformed services;

''(4) an employee (as that term is defined in section 2105);

''(5) an employee of the United States Postal Service or the Postal Regulatory Commission; and

''(6) an employee appointed under chapter 73 or 74 of title 38.''.

(2) CLERICAL AMENDMENT.—The table of sections for subchapter II of chapter 72 of title 5, United States Code, is amended by striking the item related to section 7211 and inserting the following:

''7211. Employees' right to petition or furnish information or respond to Congress.''.

SEC. 803. ENHANCEMENT OF WHISTLEBLOWER PROTECTIONS.

(a) DISCLOSURES RELATING TO OFFICERS OR EMPLOYEES OF AN OFFICE OF INSPECTOR GENERAL.—Section 1213(c) of title 5, United States Code, is amended by adding at the end the following:

''(3) If the information transmitted under this subsection disclosed a violation of law, rule, or regulation, or gross waste, gross mismanagement, abuse of authority, or a substantial and specific danger to public health or safety, by any officer or employee of an Office of Inspector General, the Special Counsel may refer the matter to the Council of the Inspectors General on Integrity and Efficiency, which shall comply with the standards and procedures applicable to investigations and reports under subsection (c).''.

(b) RETALIATORY REFERRALS TO INSPECTORS GENERAL.—Section 1214(d) of title 5, United States Code, is amended by adding at the end the following:

''(3) In any case in which the Special Counsel determines that a referral to an Inspector General of an entity of the Federal Government was in retaliation for a disclosure or protected activity described in section 2302(b)(8) or in retaliation for exercising a right described in section 2302(b)(9)(A)(i), the Special Counsel shall transmit that finding in writing to the Inspector General within seven days of making the finding. The Inspector General shall consider that finding and make a determination on whether to initiate an investigation or continue an investigation based on the referral that the Special Counsel found to be retaliatory.''.

(c) ENSURING TIMELY RELIEF.—

(1) INDIVIDUAL RIGHT OF ACTION.—Section 1221 of title 5, United States Code, is amended by striking ''section 2302(b)(8) or section 2302(b)(9)(A)(i), (B), (C), or (D),'' each place it appears and inserting ''section 2302(b)(8), section 2302(b)(9)(A)(i), (B), (C), (D), or (E), section 2302(b)(13), or section 2302(g),''.

(2) STAYS.—Section 1221(c)(2) of title 5, United States Code, is amended to read as follows:

''(2) Any stay requested under paragraph (1) shall be granted within 10 calendar days (excluding Saturdays, Sundays, and legal holidays) after the date the request is made, if the Board determines—

''(A) that there is a substantial likelihood that protected activity was a contributing factor to the personnel action involved; or

''(B) the Board otherwise determines that such a stay would be appropriate.''.

(3) APPEAL OF STAY.—Section 1221(c) of title 5, United States Code, is amended by adding at the end the following:

''(4) If any stay requested under paragraph (1) is denied, the employee, former employee, or applicant may, within 7 days after receiving notice of the denial, file an appeal for expedited review by the Board. The agency shall have 7 days thereafter to respond. The Board shall provide a decision not later than 21 days after receiving the appeal. During the period of appeal, both parties may supplement the record with information unavailable to them at the time the stay was first requested.''.

(4) ACCESS TO DISTRICT COURT; JURY TRIALS.—

(A) IN GENERAL.—Section 1221(i) of title 5, United States Code, is amended—

(i) by striking ''(i) Subsections'' and inserting ''(i)(1) Subsections''; and

(ii) by adding at the end the following:

''(2)(A) If, in the case of an employee, former employee, or applicant for employment who seeks corrective action from the Merit Systems Protection Board based on an alleged prohibited personnel practice described in section 2302(b)(8), section 2302(b)(9)(A)(i), (B), (C), (D), or (E), section 2302(b)(13), or section 2302(g), no final order or decision is issued by the Board within 180 days after the date on which a request for such corrective action has been duly submitted to the Board, such employee, former employee, or applicant may, after providing written notice to the Special Counsel and the Board and only within 20 days after providing such notice, bring an action for review de novo before the appropriate United States district court, and such action shall, at the request of either party to such action, be tried before a jury. Upon filing of an action with the appropriate United States district court, any proceedings before the Board shall cease and the employee, former employee, or applicant for employment waives any right to refile with the Board.

''(B) If the Board certifies (in writing) to the parties of a case that the complexity of such case requires a longer period of review, subparagraph (A) shall be applied by substituting '240 days' for '180 days'.

''(C) In any such action brought before a United States district court under subparagraph (A), the court—

''(i) shall apply the standards set forth in subsection (e); and

''(ii) may award any relief which the court considers appropriate, including any relief described in subsection (g).''.

(B) APPLICATION.—

(i) The amendments made by subparagraph (A) shall apply to any corrective action duly submitted to the Merit Systems Protection Board, during the five-year period preceding the date of enactment of this Act, by an employee, former employee, or applicant for employment based on an alleged prohibited personnel practice described in section 2302(b)(8), 2302(b)(9)(A)(i), (B), (C), or (D), or 2302(b)(13) of title 5, United States Code, with respect to which no final order or decision has been issued by the Board.

(ii) In the case of an individual described in clause (i) whose duly submitted claim to the Board was made not later than 180 days before the date of enactment of this Act, such individual may only bring an action before a United States district court as described in section 1221(i)(2) of title 5, United States Code, (as added by subparagraph (A) if that individual—

(I) provides written notice to the Office of Special Counsel and the Merit Systems Protection Board not later than 90 days after the date of enactment of this Act; and

(II) brings such action not later than 20 days after providing such notice.

(d) RECIPIENTS OF WHISTLEBLOWER DISCLOSURES.—Section 2302(b)(8)(B) of title 5, United States Code, is amended by striking ''or to the Inspector General of an agency or another employee designated by the head of the agency to receive such disclosures'' and inserting ''the Inspector General of an agency, a supervisor in the employee's direct chain of command up to and including the head of the employing agency, or to an employee designated by any of the aforementioned individuals for the purpose of receiving such disclosures''.

(e) ATTORNEY FEES.—

(1) IN GENERAL.—Section 7703(a) of title 5, United States Code, is amended by adding at the end the following:

''(3) If an employee, former employee, or applicant for employment is the prevailing party under a proceeding brought under this section, the employee, former employee, or applicant for employment shall be entitled to attorney fees for all representation carried out pursuant to this section. In such an action for attorney fees, the agency responsible for taking the personnel action shall be the respondent and shall be responsible for paying the fees.''.

(2) APPLICATION.—In addition to any proceeding brought by an employee, former employee, or applicant for employment on or after the date of enactment of this Act to a Federal court under section 7703 of title 5, United States Code, the amendment made by paragraph (1) shall apply to any proceeding brought by an employee, former employee, or applicant for employment under such section before the date of enactment of this Act with respect to which the applicable Federal court has not issued a final decision.

(f) EXTENDING WHISTLEBLOWER PROTECTION ACT TO CERTAIN EMPLOYEES.—

(1) IN GENERAL.—Section 2302(a)(2)(A) of title 5, United States Code, is amended in the matter following clause (xiii)—

(A) by inserting ''subsection (b)(9)(A)(i), (B), (C), (D), or (E), subsection (b)(13), or subsection (g),'' after ''subsection (b)(8),''; and

(B) by inserting after ''title 31'' the following: '', a commissioned officer or applicant for employment in the Public Health Service, an officer or applicant for employment in the commissioned officer corps of the National Oceanic and Atmospheric Administration, and a noncareer appointee in the Senior Executive Service''.

(2) CONFORMING AMENDMENTS.—Section 261 of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3071) is amended—

(A) in subsection (a)—

(i) by striking paragraph (8); and

(ii) by redesignating paragraphs (9) through (26) as paragraphs (8) through (25), respectively; and

(B) in subsection (b), by striking the second sentence.

(3) APPLICATION.—

(A) IN GENERAL.—With respect to an officer or applicant for employment in the commissioned officer corps of the National Oceanic and Atmospheric Administration, the amendments made by paragraphs (1) and (2) shall apply to any personnel action taken against such officer or applicant on or after the date of enactment of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Amendments Act of 2020 (Public Law 116–259) for making any disclosure protected under section 2302(8) of title 5, United States Code.

(B) EXCEPTION.—Subparagraph (A) shall not apply to any personnel action with respect to which a complaint has been filed pursuant to section 1034 of title 10, United States Code, and a final decision has been rendered regarding such complaint.

(g) RELIEF.—

(1) IN GENERAL.—Section 7701(b)(2)(A) of title 5, United States Code, is amended by striking ''upon the making of the decision'' and inserting ''upon making of the decision, necessary to make the employee whole as if there had been no prohibited personnel practice, including training, seniority and promotions consistent with the employee's prior record''.

(2) APPLICATION.—In addition to any appeal made on or after the date of enactment of this Act to the Merit Systems Protection Board under section 7701 of title 5, United States Code, the amendment made by paragraph (1) shall apply to any appeal made under such section before the date of enactment of this Act with respect to which the Board has not issued a final decision.

SEC. 804. CLASSIFYING CERTAIN FURLOUGHS AS ADVERSE PERSONNEL ACTIONS.

(a) IN GENERAL.—Section 7512 of title 5, United States Code, is amended—

(1) in paragraph (4), by striking ''and'' at the end; and

(2) by striking paragraph (5) and inserting the following:

''(5) a furlough of more than 14 days but less than 30 days; and

''(6) a furlough of 13 days or less that is not due to a lapse in appropriations;''.

(b) APPLICATION.—The amendment made by subsection (a) shall apply to any furlough covered by such section 7512(5) or (6) (as amended by such subsection) occurring on or after the date of enactment of this Act.

SEC. 805. CODIFICATION OF PROTECTIONS FOR DISCLOSURES OF CENSORSHIP RELATED TO RESEARCH, ANALYSIS, OR TECHNICAL INFORMATION.

(a) IN GENERAL.—Section 2302 of title 5, United States Code, as amended by section 802(c)(1), is further amended by adding at the end the following:

''(h)(1) In this subsection—

''(A) the term 'applicant' means an applicant for a covered position;

''(B) the term 'censorship related to research, analysis, or technical information' means any effort to distort, misrepresent, or suppress research, analysis, or technical information; and

''(C) the term 'employee' means an employee in a covered position in an agency.

''(2)(A) Any disclosure of information by an employee or applicant for employment that the employee or applicant reasonably believes is evidence of censorship related to research, analysis, or technical information—

''(i) shall come within the protections of subsection (b)(8)(A) if—

''(I) the employee or applicant reasonably believes that the censorship related to research, analysis, or technical information is or will cause—

''(aa) any violation of law, rule, or regulation; or

''(bb) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety; and

''(II) such disclosure is not specifically prohibited by law or such information is not specifically required by Executive order to be kept classified in the interest of national defense or the conduct of foreign affairs; and

''(ii) shall come within the protections of subsection (b)(8)(B) if—

''(I) the employee or applicant reasonably believes that the censorship related to research, analysis, or technical information is or will cause—

''(aa) any violation of law, rule, or regulation; or

''(bb) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety; and

''(II) the disclosure is made to the Special Counsel, or to the Inspector General of an agency or another person designated by the head of the agency to receive such disclosures, consistent with the protection of sources and methods.

''(3) A disclosure shall not be excluded from paragraph (2) for any reason described under subsection (f)(1) or (2).

''(4) Nothing in this subsection shall be construed to imply any limitation on the protections of employees and applicants afforded by any other provision of law, including protections with respect to any disclosure of information believed to be evidence of censorship related to research, analysis, or technical information.''.

(b) REPEAL.—

(1) IN GENERAL.—Section 110 of the Whistleblower Protection Enhancement Act of 2012 (Public Law 112–199) is hereby repealed.

(2) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit or otherwise affect any action under such section 110 commenced before the date of enactment of this Act or any protections afforded by such section with respect to such action.

SEC. 806. TITLE 5 TECHNICAL AND CONFORMING AMENDMENTS.

Title 5, United States Code, is amended—

(1) in section 1212(h), by striking ''or (9)'' each place it appears and inserting '', (b)(9), (b)(13), or (g)'';

(2) in section 1214—

(A) in subsections (a) and (b), by striking ''section 2302(b)(8) or section 2302(b)(9)(A)(i), (B), (C), or (D)'' each place it appears and inserting ''section 2302(b)(8), section 2302(b)(9)(A)(i), (B), (C), (D), or (E), section 2302(b)(13), or section 2302(g)''; and

(B) in subsection (i), by striking ''section 2302(b)(8) or subparagraph (A)(i), (B), (C), or (D) of section 2302(b)(9)'' and inserting ''section 2302(b)(8), subparagraph (A)(i), (B), (C), (D), or (E) of section 2302(b)(9), section 2302(b)(13), or section 2302(g)'';

(3) in section 1215(a)(3)(B), by striking ''section 2302(b)(8), or 2302(b)(9)(A)(i), (B), (C), or (D)'' each place it appears and inserting ''section 2302(b)(8), section 2302(b)(9)(A)(i), (B), (C), (D), or (E), section 2302(b)(13), or section 2302(g)'';

(4) in section 2302—

(A) in subsection (a)—

(i) in paragraph (1), by inserting ''or (g)'' after ''subsection (b)''; and

(ii) in paragraph (2)(C)(i), by striking ''subsection (b)(8) or section 2302(b)(9)(A)(i), (B), (C), or (D)'' and inserting ''section 2302(b)(8), section 2302(b)(9)(A)(i), (B), (C), (D), or (E), section 2302(b)(13), or section 2302(g)''; and

(B) in subsection (c)(1)(B), by striking ''paragraph (8) or subparagraph (A)(i), (B), (C), or (D) of paragraph (9) of subsection (b)'' and inserting ''paragraph (8), subparagraph (A)(i), (B), (C), or (D) of paragraph (9), or paragraph (13) of subsection (b) or subsection (g)'';

(5) in section 7515(a)(2), by striking ''paragraph (8), (9), or (14) of section 2302(b)'' and inserting ''paragraph (8), (9), (13), or (14) of section 2302(b) or section 2302(g)'';

(6) in section 7701(c)(2)(B), by inserting ''or section 2302(g)'' after ''section 2302(b)''; and

(7) in section 7703(b)(1)(B), by striking ''section 2302(b)(8), or 2302(b)(9)(A)(i), (B), (C), or (D)'' and inserting ''section 2302(b)(8), section 2302(b)(9)(A)(i), (B), (C), (D), or (E), section 2302(b)(13), or section 2302(g)''.

Subtitle B—Whistleblowers of the Intelligence Community

SEC. 811. LIMITATION ON SHARING OF INTELLIGENCE COMMUNITY WHISTLEBLOWER COMPLAINTS WITH PERSONS NAMED IN SUCH COMPLAINTS.

(a) IN GENERAL.—Title XII of the National Security Act of 1947, as added by section 711, is further amended by inserting after section 1205, as added by section 713(c), the following new subtitle:

"Subtitle B—Protections for Whistleblowers

"SEC. 1223. LIMITATION ON SHARING OF INTELLIGENCE COMMUNITY WHISTLEBLOWER COMPLAINTS WITH PERSONS NAMED IN SUCH COMPLAINTS.

''(a) IN GENERAL.—It shall be unlawful for any employee or officer of the Federal Government to knowingly and willfully share any whistleblower disclosure information with any individual named as a subject of the whistleblower disclosure and alleged in the disclosure to have engaged in misconduct, unless—

''(1) the whistleblower consented, in writing, to such sharing before the sharing occurs;

''(2) a covered Inspector General to whom such disclosure is made—

''(A) determines that such sharing is necessary to advance an investigation, audit, inspection, review, or evaluation by the Inspector General; and

''(B) notifies the whistleblower of such sharing before the sharing occurs; or

''(3) an attorney for the Government—

''(A) determines that such sharing is necessary to advance an investigation by the attorney; and

''(B) notifies the whistleblower of such sharing before the sharing occurs.

''(b) WHISTLEBLOWER DISCLOSURE INFORMATION DEFINED.—In this section, the term 'whistleblower disclosure information' means, with respect to a whistleblower disclosure—

''(1) the disclosure;

''(2) confirmation of the fact of the existence of the disclosure; or

''(3) the identity, or other identifying information, of the whistleblower who made the disclosure.''.

(b) TECHNICAL AND CLERICAL AMENDMENTS.—

(1) TRANSFER.—The National Security Act of 1947 (50 U.S.C. 3001 et seq.) is amended as follows:

(A) Section 1104 is—

(i) transferred to title XII of such Act, as added by section 711;

(ii) inserted before section 1223 of such Act, as added by this section; and

(iii) redesignated as section 1221.

(B) Section 1106 is—

(i) amended by striking ''section 1104'' each place it appears and inserting ''section 1221'';

(ii) transferred to title XII of such Act, as added by section 711;

(iii) inserted after section 1223 of such Act, as added by this section; and

(iv) redesignated as section 1225.

(2) CLERICAL AMENDMENTS.—The table of sections at the beginning of the National Security Act of 1947 is amended—

(A) by striking the items relating to section 1104 and section 1106; and

(B) by inserting after the item relating to section 1205 the following new items:

''SUBTITLE B—PROTECTIONS FOR WHISTLEBLOWERS

''Sec. 1221. Prohibited personnel practices in the intelligence community.

''Sec. 1223. Limitation on sharing of intelligence community whistleblower complaints with persons named in such complaints.

''Sec. 1225. Inspector General external review panel.''.

(c) DEFINITIONS.—Section 3 of such Act (50 U.S.C. 3003), as amended by section 711, is further amended by adding at the end the following new paragraphs:

''(9) The term 'whistleblower' means a person who makes a whistleblower disclosure.

''(10) The term 'whistleblower disclosure' means a disclosure that is protected under section 1221 of this Act or section 3001(j)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)).''.

(d) CONFORMING AMENDMENT.—Section 5331 of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020 (division E of Public Law 116–92; 50 U.S.C. 3033 note) is amended by striking ''section 1104 of the National Security Act of 1947 (50 U.S.C. 3234)'' and inserting ''section 1221 of the National Security Act of 1947''.

SEC. 812. DISCLOSURES TO CONGRESS.

(a) IN GENERAL.—Title XII of the National Security Act of 1947, as added by section 711, is further amended by inserting after section 1225, as designated by section 811(b), the following new section:

"SEC. 1227. PROCEDURES REGARDING DISCLOSURES TO CONGRESS.

''(a) GUIDANCE.—

''(1) OBLIGATION TO PROVIDE SECURITY DIRECTION UPON REQUEST.—Upon the request of a whistleblower, the head of the relevant element of the intelligence community, acting through the covered Inspector General for that element, shall furnish on a confidential basis to the whistleblower information regarding how the whistleblower may directly contact the congressional intelligence committees, in accordance with appropriate security practices, regarding a complaint or information of the whistleblower pursuant to section 103H(k)(5)(D) or other appropriate provision of law.

''(2) NONDISCLOSURE.—Unless a whistleblower who makes a request under paragraph (1) provides prior consent, a covered Inspector General may not disclose to the head of the relevant element of the intelligence community—

''(A) the identity of the whistleblower; or

''(B) the element at which such whistleblower is employed, detailed, or assigned as a contractor employee.

''(b) OVERSIGHT OF OBLIGATION.—If a covered Inspector General determines that the head of an element of the intelligence community denied a request by a whistleblower under subsection (a), directed the whistleblower not to contact the congressional intelligence committees, or unreasonably delayed in providing information under such subsection, the covered Inspector General shall notify the congressional intelligence committees of such denial, direction, or unreasonable delay.

''(c) PERMANENT SECURITY OFFICER.—The head of each element of the intelligence community may designate a permanent security officer in the element to provide to whistleblowers the information under subsection (a).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of the National Security Act of 1947 is amended by inserting after the item relating to section 1225, as added by section 811(b), the following new item:

''Sec. 1227. Procedures regarding disclosures to Congress.''.

(c) CONFORMING AMENDMENT.—Section 103H(k)(5)(D)(i) of the National Security Act of 1947 (50 U.S.C. 3033(k)(5)(D)(i)) is amended by adding at the end the following: ''The employee may request information pursuant to section 1227 with respect to contacting such committees.''.

SEC. 813. PROHIBITION AGAINST DISCLOSURE OF WHISTLEBLOWER IDENTITY AS REPRISAL AGAINST WHISTLEBLOWER DISCLOSURE BY EMPLOYEES AND CONTRACTORS IN INTELLIGENCE COMMUNITY.

(a) IN GENERAL.—Paragraph (3) of subsection (a) of section 1221 of the National Security Act of 1947, as designated by section 811(b)(1)(A), is amended—

(1) in subparagraph (I), by striking ''; or'' and inserting a semicolon;

(2) by redesignating subparagraph (J) as subparagraph (K); and

(3) by inserting after subparagraph (I) the following:

''(J) a knowing and willful disclosure revealing the identity or other personally identifiable information of such employee or such contractor employee without the express written consent of such employee or such contractor employee or if the Inspector General determines such disclosure is necessary for the exclusive purpose of investigating a complaint or information received under section 8H of the Inspector General Act of 1978 (5 U.S.C. App. 8H); or''.

(b) APPLICABILITY TO DETAILEES.—Such subsection is amended by adding at the end the following:

''(5) EMPLOYEE.—The term 'employee', with respect to an agency or a covered intelligence community element, includes an individual who has been detailed to such agency or covered intelligence community element.''.

(c) PRIVATE RIGHT OF ACTION FOR UNLAWFUL DISCLOSURE OF WHISTLEBLOWER IDENTITY.—Subsection (d) of such section is amended to read as follows:

''(d) ENFORCEMENT.—

''(1) IN GENERAL.—Except as otherwise provided in this subsection, the President shall provide for the enforcement of this section.

''(2) PRIVATE RIGHT OF ACTION FOR UNLAWFUL, WILLFUL DISCLOSURE OF WHISTLEBLOWER IDENTITY.—In a case in which an employee of an agency, or other employee or officer of the Federal Government, takes a personnel action described in subsection (a)(3)(J) against an employee of a covered intelligence community element as a reprisal in violation of subsection (b) or in a case in which a contractor employee takes a personnel action described in such subsection against another contractor employee as a reprisal in violation of subsection (c), the employee or contractor employee against whom the personnel action was taken may bring a private action for all appropriate remedies, including injunctive relief and compensatory and punitive damages, against the employee or contractor employee who took the personnel action, in a Federal district court of competent jurisdiction within 180 days of when the employee or contractor employee first learned of or should have learned of the violation.''.

TITLE IX—ACCOUNTABILITY FOR ACTING OFFICIALS

SEC. 901. SHORT TITLE.

This title may be cited as the ''Accountability for Acting Officials Act''.

SEC. 902. CLARIFICATION OF FEDERAL VACANCIES REFORM ACT OF 1998.

(a) ELIGIBILITY REQUIREMENTS.—Section 3345 of title 5, United States Code, is amended as follows:

(1) In subsection (a)—

(A) in paragraph (1), by adding at the end before the semi-colon the following: '', but, and except as provided in subsection (e), only if the individual serving in the position of first assistant has occupied such position for a period of at least 30 days during the 365-day period preceding the date of the death, resignation, or beginning of inability to serve''; and

(B) by striking subparagraph (A) of paragraph (3) and inserting the following:

''(A) the officer or employee served in a position in such agency for a period of at least 1 year preceding the date of death, resignation, or beginning of inability to serve of the applicable officer; and''.

(2) By adding at the end the following:

''(d) For purposes of this section, a position shall be considered to be the first assistant to the office with respect to which a vacancy occurs only if such position has been designated, at least 30 days before the date of the vacancy, by law, rule, or regulation as the first assistant position. The previous sentence shall begin to apply on the date that is 180 days after the date of enactment of the Accountability for Acting Officials Act.

''(e) The 30-day service requirement in subsection (a)(1) shall not apply to any individual who is a first assistant if—

''(1)(A) the office of such first assistant is an office for which appointment is required to be made by the President, by and with the advice and consent of the Senate; and

''(B) the Senate has approved the appointment of such individual to such office; or

''(2) the individual began serving in the position of first assistant during the 180-day period beginning on a transitional inauguration day (as that term is defined in section 3349a(a)).''.

(b) QUALIFICATIONS.—Section 3345(b) of title 5, United States Code, is amended by adding at the end the following:

''(3) Any individual directed to perform the functions and duties of the vacant office temporarily in an acting capacity under subsection (a)(2) or (f) shall possess the qualifications (if any) set forth in law, rule, or regulation that are otherwise applicable to an individual appointed by the President, by and with the advice and consent of the Senate, to occupy such office.''.

(c) APPLICATION TO INDIVIDUALS REMOVED FROM OFFICE.—Paragraph (2) of section 3345(c) of title 5, United States Code, is amended by inserting after ''the expiration of a term of office'' the following: ''or removal (voluntarily or involuntarily) from office''.

(d) VACANCY OF INSPECTOR GENERAL POSITIONS.—

(1) IN GENERAL.—Section 3345 of title 5, United States Code, as amended by subsection (a)(2), is further amended by adding at the end the following:

''(f)(1) Notwithstanding subsection (a), if an Inspector General position that requires appointment by the President by and with the advice and consent of the Senate to be filled is vacant, the first assistant of such position shall perform the functions and duties of the Inspector General temporarily in an acting capacity subject to the time limitations of section 3346.

''(2) Notwithstanding subsection (a), if for purposes of carrying out paragraph (1) of this subsection, by reason of absence, disability, or vacancy, the first assistant to the position of Inspector General is not available to perform the functions and duties of the Inspector General, an acting Inspector General shall be appointed by the President from among individuals serving in an office of any Inspector General, provided that—

''(A) during the 365-day period preceding the date of death, resignation, or beginning of inability to serve of the applicable Inspector General, the individual served in a position in an office of any Inspector General for not less than 90 days; and

''(B) the rate of pay for the position of such individual is equal to or greater than the minimum rate of pay payable for a position at GS–15 of the General Schedule.''.

(2) APPLICATION.—The amendment made by paragraph (1) shall apply to any vacancy first occurring with respect to an Inspector General position on or after the date of enactment of this Act.

(e) TESTIMONY OF ACTING OFFICIALS BEFORE CONGRESS.—Section 3345 of title 5, United States Code, as amended by subsection (d)(1), is further amended by adding at the end the following:

''(g)(1) Any individual serving as an acting officer due to a vacancy to which this section applies, or any individual who has served in such capacity and continues to perform the same or similar duties beyond the time limits described in section 3346, shall appear, at least once during any 60-day period that the individual is so serving, before the appropriate committees of jurisdiction of the House of Representatives and the Senate.

''(2) Paragraph (1) may be waived upon mutual agreement of the chairs and ranking members of such committees.''.

(f) TIME LIMITATION FOR PRINCIPAL OFFICES.—Section 3346 of title 5, United States Code, is amended—

(1) in subsection (a), by inserting ''or as provided in subsection (d)'' after ''sickness''; and

(2) by adding at the end the following:

''(d) With respect to the vacancy of the position of head of any agency listed in subsection (b) of section 901 of title 31, or any other position that is within the President's cabinet and to which this section applies, subsections (a) through (c) of this section and sections 3348(c), 3349(b), and 3349a(b) shall be applied by substituting '120' for '210' in each instance.''.

(g) EXCLUSIVITY.—Section 3347 of title 5, United States Code, is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following:

''(b) Notwithstanding subsection (a), any statutory provision covered under paragraph (1) of such subsection that contains a nondiscretionary order or directive to designate an officer or employee to perform the functions and duties of a specified office temporarily in an acting capacity shall be the exclusive means for temporarily authorizing an acting official to perform the functions and duties of such office.''.

(h) REPORTING OF VACANCIES.—

(1) IN GENERAL.—Section 3349 of title 5, United States Code, is amended—

(A) in subsection (a)—

(i) by striking ''immediately upon'' in each instance and inserting ''not later than 7 days after'';

(ii) in paragraph (3), by striking ''and'' at the end;

(iii) in paragraph (4), by striking the period at the end and inserting ''; and''; and

(iv) by adding at the end the following:

''(5) notification of the end of the term of service of any person serving in an acting capacity and the name of any subsequent person serving in an acting capacity and the date the service of such subsequent person began not later than 7 days after such date.''; and

(B) in subsection (b), by striking ''immediately'' and inserting ''not later than 14 days after the date of such determination''.

(2) TECHNICAL CORRECTIONS.—Paragraphs (1) and (2) of subsection (b) of such section 3349 of such title are amended to read as follows:

''(1) the Committee on Homeland Security and Governmental Affairs of the Senate;

''(2) the Committee on Oversight and Reform of the House of Representatives;''.

(i) VACANCIES DURING PRESIDENTIAL INAUGURAL TRANSITIONS.—Subsection (b) of section 3349a of title 5, United States Code, is amended to read as follows:

''(b) Notwithstanding section 3346 (except as provided in paragraph (2) of this subsection) or 3348(c), with respect to any vacancy that exists on a transitional inauguration day, or that arises during the 60-day period beginning on such day, the person serving as an acting officer as described under section 3345 may serve in the office—

''(1) for no longer than 300 days beginning on such day; or

''(2) subject to subsection 3346(b), once a first or second nomination for the office is submitted to the Senate, from the date of such nomination for the period that the nomination is pending in the Senate.''.

TITLE X—STRENGTHENING HATCH ACT ENFORCEMENT AND PENALTIES

SEC. 1001. SHORT TITLE.

This title may be cited as the ''Hatch Act Accountability Act''.

SEC. 1002. STRENGTHENING HATCH ACT ENFORCEMENT AND PENALTIES AGAINST POLITICAL APPOINTEES.

(a) INVESTIGATIONS BY OFFICE OF SPECIAL COUNSEL.—Section 1216 of title 5, United States Code, as amended by section 307, is amended—

(1) in subsection (c), by striking ''(1),''; and

(2) by adding at the end the following:

''(e)(1) In addition to the authority otherwise provided in this chapter, the Special Counsel—

''(A) shall conduct an investigation with respect to any allegation concerning political activity prohibited under subchapter III of chapter 73 (relating to political activities by Federal employees); and

''(B) may, regardless of whether the Special Counsel has received an allegation, conduct any investigation as the Special Counsel considers necessary concerning political activity prohibited under such subchapter.

''(2) With respect to any investigation under paragraph (1) of this subsection, the Special Counsel may seek corrective action under section 1214 and disciplinary action under section 1215 in the same way as if a prohibited personnel practice were involved.

''(f)(1) Notwithstanding subsection (b) of section 1215, consistent with paragraph (3) of this subsection, if after an investigation under subsection (d)(1) the Special Counsel determines that a political appointee has violated section 7323 or 7324, the Special Counsel may present a complaint to the Merit Systems Protection Board under the process provided in section 1215, against such political appointee.

''(2) Notwithstanding section 7326, a final order of the Board on a complaint of a violation of section 7323 or 7324 by a political appointee may impose an assessment of a civil penalty not to exceed $50,000.

''(3) The Special Counsel may not present a complaint under paragraph (1) of this subsection—

''(A) unless no disciplinary action or civil penalty has been taken or assessed, respectively, against the political appointee pursuant to section 7326; and

''(B) until on or after the date that is 90 days after the date that the complaint regarding the political appointee was presented to the President under section 1215(b), notwithstanding whether the President submits a written statement pursuant to paragraph (4) of this subsection.

''(4)(A) Not later than 90 days after receiving from the Special Counsel a complaint recommending disciplinary action under section 1215(b) with respect to a political appointee for a violation of section 7323 or 7324, the President shall provide a written statement to the Special Counsel on whether the President imposed the recommended disciplinary action, imposed another form of disciplinary action and the nature of that disciplinary action, or took no disciplinary action against the political appointee.

''(B) Not later than 14 days after receiving a written statement under subparagraph (A) of this paragraph—

''(i) the Special Counsel shall submit the written statement to the Committee on Oversight and Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate; and

''(ii) publish the written statement on the public website of the Office of Special Counsel.

''(5) Not later than 14 days after the date that the Special Counsel determines a political appointee has violated section 7323 or 7324, the Special Counsel shall—

''(A) submit a report on the investigation into such political appointee, and any communications sent from the Special Counsel to the President recommending discipline of such political appointee, to the Committee on Oversight and Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate; and

''(B) publish the report and such communications on the public website of the Office of Special Counsel.

''(6) In this subsection, the term 'political appointee' means any individual, other than the President and the Vice-President, employed or holding office—

''(A) in the Executive Office of the President, the Office of the Vice President, and any other office of the White House, but not including any career employee; or

''(B) in a confidential, policy-making, policy-determining, or policy-advocating position appointed by the President, by and with the advice and consent of the Senate (other than an individual in the Foreign Service of the United States).''.

(b) CLARIFICATION ON APPLICATION OF HATCH ACT TO EOP AND OVP EMPLOYEES.—Section 7322(1)(A) of title 5, United States Code, is amended by inserting after ''Executive agency'' the following: '', including the Executive Office of the President, the Office of the Vice President, and any other office of the White House,''.

TITLE XI—PROMOTING EFFICIENT PRESIDENTIAL TRANSITIONS

SEC. 1101. SHORT TITLE.

This title may be cited as the ''Efficient Transition Act of 2021''.

SEC. 1102. ASCERTAINMENT OF SUCCESSFUL CANDIDATES IN GENERAL ELECTIONS FOR PURPOSES OF PRESIDENTIAL TRANSITION.

(a) IN GENERAL.—Section 3(c) of the Presidential Transition Act of 1963 (3 U.S.C. 102 note) is amended—

(1) by striking ''The terms'' and inserting ''(1) The terms''; and

(2) by adding at the end the following:

''(2) The Administrator shall make the ascertainment under paragraph (1) as soon as practicable after the general elections.

''(3) If the Administrator does not make such ascertainment within 5 days after such elections, each eligible candidate for President and Vice President shall be treated as if they are the apparent successful candidate for purposes of this Act until the Administrator makes the ascertainment or until the House of Representatives and the Senate certify the results of the elections, whichever occurs first.''.

(b) REGULATIONS.—Not later than 270 days after the date of enactment of this Act, the Administrator of General Services shall promulgate regulations that establish standards and procedures to be followed by the Administrator in making any future determination regarding ascertainment under section 3(c) of the Presidential Transition Act of 1963, as amended by subsection (a).

TITLE XII—PRESIDENTIAL AND VICE PRESIDENTIAL TAX TRANSPARENCY

Sec. 1201. Presidential and Vice Presidential tax transparency.

SEC. 1201. PRESIDENTIAL AND VICE PRESIDENTIAL TAX TRANSPARENCY.

(a) DEFINITIONS.—In this section—

(1) The term ''covered candidate'' means a candidate of a major party in a general election for the office of President or Vice President.

(2) The term ''major party'' has the meaning given the term in section 9002 of the Internal Revenue Code of 1986.

(3) The term ''income tax return'' means, with respect to an individual, any return (as such term is defined in section 6103(b)(1) of the Internal Revenue Code of 1986, except that such term shall not include declarations of estimated tax) of—

(A) such individual, other than information returns issued to persons other than such individual; or

(B) of any corporation, partnership, or trust in which such individual holds, directly or indirectly, a significant interest as the sole or principal owner or the sole or principal beneficial owner (as such terms are defined in regulations prescribed by the Secretary of the Treasury or his delegate).

(4) The term ''Secretary'' means the Secretary of the Treasury or the delegate of the Secretary.

(b) DISCLOSURE.—

(1) IN GENERAL.—

(A) CANDIDATES FOR PRESIDENT AND VICE PRESIDENT.—Not later than the date that is 15 days after the date on which an individual becomes a covered candidate, the individual shall submit to the Federal Election Commission a copy of the individual's income tax returns for the 10 most recent taxable years for which a return has been filed with the Internal Revenue Service.

(B) PRESIDENT AND VICE PRESIDENT.—With respect to an individual who is the President or Vice President, not later than the due date for the return of tax for each taxable year, such individual shall submit to the Federal Election Commission a copy of the individual's income tax returns for the taxable year and for the 9 preceding taxable years.

(C) TRANSITION RULE FOR SITTING PRESIDENTS AND VICE PRESIDENTS.—Not later than the date that is 30 days after the date of enactment of this section, an individual who is the President or Vice President on such date of enactment shall submit to the Federal Election Commission a copy of the income tax returns for the 10 most recent taxable years for which a return has been filed with the Internal Revenue Service.

(2) FAILURE TO DISCLOSE.—If any requirement under paragraph (1) to submit an income tax return is not met, the chairman of the Federal Election Commission shall submit to the Secretary a written request that the Secretary provide the Federal Election Commission with the income tax return.

(3) PUBLICLY AVAILABLE.—The chairman of the Federal Election Commission shall make publicly available each income tax return submitted under paragraph (1) in the same manner as a return provided under section 6103(l)(23) of the Internal Revenue Code of 1986 (as added by this section).

(4) TREATMENT AS A REPORT UNDER THE FEDERAL ELECTION CAMPAIGN ACT OF 1971.—For purposes of the Federal Election Campaign Act of 1971, any income tax return submitted under paragraph (1) or provided under section 6103(l)(23) of the Internal Revenue Code of 1986 (as added by this section) shall, after redaction under paragraph (3) or subparagraph (B)(ii) of such section, be treated as a report filed under the Federal Election Campaign Act of 1971.

(c) DISCLOSURE OF RETURNS OF PRESIDENTS AND VICE PRESIDENTS AND CERTAIN CANDIDATES FOR PRESIDENT AND VICE PRESIDENT.—

(1) IN GENERAL.—Section 6103(l) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(23) DISCLOSURE OF RETURN INFORMATION OF PRESIDENTS AND VICE PRESIDENTS AND CERTAIN CANDIDATES FOR PRESIDENT AND VICE PRESIDENT.—

''(A) IN GENERAL.—Upon written request by the chairman of the Federal Election Commission under section 1201(b)(2) of the Protecting Our Democracy Act, not later than the date that is 15 days after the date of such request, the Secretary shall provide copies of any return which is so requested to officers and employees of the Federal Election Commission whose official duties include disclosure or redaction of such return under this paragraph.

''(B) DISCLOSURE TO THE PUBLIC.—

''(i) IN GENERAL.—The chairman of the Federal Election Commission shall make publicly available any return which is provided under subparagraph (A).

''(ii) REDACTION OF CERTAIN INFORMATION.—Before making publicly available under clause (i) any return, the chairman of the Federal Election Commission shall redact such information as the Federal Election Commission and the Secretary jointly determine is necessary for protecting against identity theft, such as social security numbers.''.

(2) CONFORMING AMENDMENTS.—Section 6103(p)(4) of such Code is amended—

(A) in the matter preceding subparagraph (A) by striking ''or (22)'' and inserting ''(22), or (23)''; and

(B) in subparagraph (F)(ii) by striking ''or (22)'' and inserting ''(22), or (23)''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to disclosures made on or after the date of enactment of this Act.

DIVISION C—DEFENDING ELECTIONS AGAINST FOREIGN INTERFERENCE; PROHIBITING CAMPAIGNS FROM PAYING SPOUSE OF CANDIDATE

TITLE XIII—REPORTING FOREIGN INTERFERENCE IN ELECTIONS

SEC. 1301. FEDERAL CAMPAIGN REPORTING OF FOREIGN CONTACTS.

(a) INITIAL NOTICE.—

(1) IN GENERAL.—Section 304 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30104) is amended by adding at the end the following new subsection:

''(j) DISCLOSURE OF REPORTABLE FOREIGN CONTACTS.—

''(1) COMMITTEE OBLIGATION TO NOTIFY.—Not later than 1 week after a reportable foreign contact, each political committee shall notify the Federal Bureau of Investigation and the Commission of the reportable foreign contact and provide a summary of the circumstances with respect to such reportable foreign contact. The Federal Bureau of Investigation, not later than 1 week after receiving a notification from a political committee under this paragraph, shall submit to the political committee, the Permanent Select Committee on Intelligence of the House of Representatives, and the Select Committee on Intelligence of the Senate written or electronic confirmation of receipt of the notification.

''(2) INDIVIDUAL OBLIGATION TO NOTIFY.—Not later than 3 days after a reportable foreign contact—

''(A) each candidate and each immediate family member of a candidate shall notify the treasurer or other designated official of the principal campaign committee of such

candidate of the reportable foreign contact and provide a summary of the circumstances with respect to such reportable foreign contact; and

''(B) each official, employee, or agent of a political committee shall notify the treasurer or other designated official of the committee of the reportable foreign contact and provide a summary of the circumstances with respect to such reportable foreign contact.

''(3) REPORTABLE FOREIGN CONTACT.—In this subsection:

''(A) IN GENERAL.—The term 'reportable foreign contact' means any direct or indirect contact or communication that—

''(i) is between—

''(I) a candidate, an immediate family member of the candidate, a political committee, or any official, employee, or agent of such committee; and

''(II) an individual that the person described in subclause (I) knows, has reason to know, or reasonably believes is a covered foreign national; and

''(ii) the person described in clause (i)(I) knows, has reason to know, or reasonably believes involves—

''(I) an offer or other proposal for a contribution, donation, expenditure, disbursement, or solicitation described in section 319; or

''(II) coordination or collaboration with, an offer or provision of information or services to or from, or persistent and repeated contact with, a covered foreign national in connection with an election.

''(B) EXCEPTIONS.—

''(i) CONTACTS IN OFFICIAL CAPACITY AS ELECTED OFFICIAL.—The term 'reportable foreign contact' shall not include any contact or communication with a covered foreign national by an elected official or an employee of an elected official solely in an official capacity as such an official or employee.

''(ii) CONTACTS FOR PURPOSES OF ENABLING OBSERVATION OF ELECTIONS BY INTERNATIONAL OBSERVERS.—The term 'reportable foreign contact' shall not include any contact or communication with a covered foreign national by any person which is made for purposes of enabling the observation of elections in the United States by a foreign national or the observation of elections outside of the United States by a candidate, political committee, or any official, employee, or agent of such committee.

''(iii) EXCEPTIONS NOT APPLICABLE IF CONTACTS OR COMMUNICATIONS INVOLVE PROHIBITED DISBURSEMENTS.—A contact or communication by an elected official or an employee of an elected official shall not be considered to be made solely in an official capacity for purposes of clause (i), and a contact or communication shall not be considered to be made for purposes of enabling the observation of elections for purposes of clause (ii), if the contact or communication involves a contribution, donation, expenditure, disbursement, or solicitation described in section 319.

''(C) COVERED FOREIGN NATIONAL DEFINED.—

''(i) IN GENERAL.—In this paragraph, the term 'covered foreign national' means—

''(I) a foreign principal (as defined in section 1(b) of the Foreign Agents Registration Act of 1938 (22 U.S.C. 611(b)) that is a government of a foreign country or a foreign political party;

''(II) any person who acts as an agent, representative, employee, or servant, or any person who acts in any other capacity at the order, request, or under the direction or control, of a foreign principal described in subclause (I) or of a person any of whose activities are directly or indirectly supervised, directed, controlled, financed, or subsidized in whole or in major part by a foreign principal described in subclause (I); or

''(III) any person included in the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury pursuant to authorities relating to the imposition of sanctions relating to the conduct of a foreign principal described in subclause (I).

''(ii) CLARIFICATION REGARDING APPLICATION TO CITIZENS OF THE UNITED STATES.—In the case of a citizen of the United States, subclause (II) of clause (i) applies only to the extent that the person involved acts within the scope of that person's status as the agent of a foreign principal described in subclause (I) of clause (i).

''(4) IMMEDIATE FAMILY MEMBER.—In this subsection, the term 'immediate family member' means, with respect to a candidate, a parent, parent-in-law, spouse, adult child, or sibling.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply with respect to reportable foreign contacts which occur on or after the date of the enactment of this Act.

(b) INFORMATION INCLUDED ON REPORT.—

(1) IN GENERAL.—Section 304(b) of such Act (52 U.S.C. 30104(b)) is amended—

(A) by striking ''and'' at the end of paragraph (7);

(B) by striking the period at the end of paragraph (8) and inserting ''; and''; and

(C) by adding at the end the following new paragraph:

''(9) for any reportable foreign contact (as defined in subsection (j)(3))—

''(A) the date, time, and location of the contact;

''(B) the date and time of when a designated official of the committee was notified of the contact;

''(C) the identity of individuals involved; and

''(D) a description of the contact, including the nature of any contribution, donation, expenditure, disbursement, or solicitation involved and the nature of any activity described in subsection (j)(3)(A)(ii)(II) involved.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply with respect to reports filed on or after the expiration of the 60-day period which begins on the date of the enactment of this Act.

SEC. 1302. FEDERAL CAMPAIGN FOREIGN CONTACT REPORTING COMPLIANCE SYSTEM.

(a) IN GENERAL.—Section 302 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30102) is amended by adding at the end the following new subsection:

''(j) REPORTABLE FOREIGN CONTACTS COMPLIANCE POLICY.—

''(1) REPORTING.—Each political committee shall establish a policy that requires all officials, employees, and agents of such committee to notify the treasurer or other appropriate designated official of the committee of any reportable foreign contact (as defined in section 304(j)) not later than 3 days after such contact was made.

''(2) RETENTION AND PRESERVATION OF RECORDS.—Each political committee shall establish a policy that provides for the retention and preservation of records and information related to reportable foreign contacts (as so defined) for a period of not less than 3 years.

''(3) CERTIFICATION.—

''(A) IN GENERAL.—Upon filing its statement of organization under section 303(a), and with each report filed under section 304(a), the treasurer of each political committee (other than an authorized committee) shall certify that—

''(i) the committee has in place policies that meet the requirements of paragraphs (1) and (2);

''(ii) the committee has designated an official to monitor compliance with such policies; and

''(iii) not later than 1 week after the beginning of any formal or informal affiliation with the committee, all officials, employees, and agents of such committee will—

''(I) receive notice of such policies;

''(II) be informed of the prohibitions under section 319; and

''(III) sign a certification affirming their understanding of such policies and prohibitions.

''(B) AUTHORIZED COMMITTEES.—With respect to an authorized committee, the candidate shall make the certification required under subparagraph (A).''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendment made by subsection (a) shall apply with respect to political committees which file a statement of organization under section 303(a) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30103(a)) on or after the date of the enactment of this Act.

(2) TRANSITION RULE FOR EXISTING COMMITTEES.—Not later than 30 days after the date of the enactment of this Act, each political committee under the Federal Election Campaign Act of 1971 shall file a certification with the Federal Election Commission that the committee is in compliance with the requirements of section 302(j) of such Act (as added by subsection (a)).

SEC. 1303. CRIMINAL PENALTIES.

Section 309(d)(1) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30109(d)(1)) is amended by adding at the end the following new subparagraphs:

''(E) Any person who knowingly and willfully commits a violation of subsection (j) or (b)(9) of section 304 or section 302(j) shall be fined not more than $500,000, imprisoned not more than 5 years, or both.

''(F) Any person who knowingly and willfully conceals or destroys any materials relating to a reportable foreign contact (as defined in section 304(j)) shall be fined not more than $1,000,000, imprisoned not more than 5 years, or both.''.

SEC. 1304. REPORT TO CONGRESSIONAL INTELLIGENCE COMMITTEES.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Director of the Federal Bureau of Investigation shall submit to the congressional intelligence committees a report relating to notifications received by the Federal Bureau of Investigation under section 304(j)(1) of the Federal Election Campaign Act of 1971 (as added by section 1301(a) of this Act).

(b) ELEMENTS.—Each report under subsection (a) shall include, at a minimum, the following with respect to notifications described in subsection (a):

(1) The number of such notifications received from political committees during the year covered by the report.

(2) A description of protocols and procedures developed by the Federal Bureau of Investigation relating to receipt and maintenance of records relating to such notifications.

(3) With respect to such notifications received during the year covered by the report, a description of any subsequent actions taken by the Director resulting from the receipt of such notifications.

(c) CONGRESSIONAL INTELLIGENCE COMMITTEES DEFINED.—In this section, the term ''congressional intelligence committees'' has the meaning given that term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

SEC. 1305. RULE OF CONSTRUCTION.

Nothing in this title or the amendments made by this title shall be construed—

(1) to impede legitimate journalistic activities; or

(2) to impose any additional limitation on the right to express political views or to participate in public discourse of any individual who—

(A) resides in the United States;

(B) is not a citizen of the United States or a national of the United States, as defined in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22)); and

(C) is not lawfully admitted for permanent residence, as defined by section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20)).

TITLE XIV—ELIMINATING FOREIGN INTERFERENCE IN ELECTIONS

SEC. 1401. CLARIFICATION OF APPLICATION OF FOREIGN MONEY BAN.

(a) CLARIFICATION OF TREATMENT OF PROVISION OF CERTAIN INFORMATION AS CONTRIBUTION OR DONATION OF A THING OF VALUE.—Section 319 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121) is amended by adding at the end the following new subsection:

''(c) CLARIFICATION OF TREATMENT OF PROVISION OF CERTAIN INFORMATION AS CONTRIBUTION OR DONATION OF A THING OF VALUE.—For purposes of this section, a 'contribution or donation of money or other thing of value' includes the provision of opposition research, polling, or other non-public information relating to a candidate for election for a Federal, State, or local office for the purpose of influencing the election, regardless of whether such research, polling, or information has monetary value, except that nothing in this subsection shall be construed to treat the mere provision of an opinion about a candidate as a thing of value for purposes of this section.''.

(b) CLARIFICATION OF APPLICATION OF FOREIGN MONEY BAN TO ALL CONTRIBUTIONS AND DONATIONS OF THINGS OF VALUE AND TO ALL SOLICITATIONS OF CONTRIBUTIONS AND DONATIONS OF THINGS OF VALUE.—Section 319(a) of such Act (52 U.S.C. 30121(a)) is amended—

(1) in paragraph (1)(A), by striking ''promise to make a contribution or donation'' and inserting ''promise to make such a contribution or donation'';

(2) in paragraph (1)(B), by striking ''donation'' and inserting ''donation of money or other thing of value, or to make an express or implied promise to make such a contribution or donation,''; and

(3) by amending paragraph (2) to read as follows:

''(2) a person to solicit, accept, or receive (directly or indirectly) a contribution or donation described in subparagraph (A) or (B) of paragraph (1), or to solicit, accept, or receive (directly or indirectly) an express or implied promise to make such a contribution or donation, from a foreign national.''.

(c) ENHANCED PENALTY FOR CERTAIN VIOLATIONS.—

(1) IN GENERAL.—Section 309(d)(1) of such Act (52 U.S.C. 30109(d)(1)), as amended by section 1303, is further amended by adding at the end the following new subparagraph:

''(G)(i) Any person who knowingly and willfully commits a violation of section 319 which involves a foreign national which is a government of a foreign country or a foreign political party, or which involves a thing of value consisting of the provision of opposition research, polling, or other non-public information relating to a candidate for election for a Federal, State, or local office for the purpose of influencing the election, shall be fined under title 18, United States Code, or imprisoned for not more than 5 years, or both.

''(ii) In clause (i), each of the terms 'government of a foreign country' and 'foreign political party' has the meaning given such term in section 1 of the Foreign Agents Registration Act of 1938, as Amended (22 U.S.C. 611).''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply with respect to violations committed on or after the date of the enactment of this Act.

SEC. 1402. REQUIRING ACKNOWLEDGMENT OF FOREIGN MONEY BAN BY POLITICAL COMMITTEES.

(a) PROVISION OF INFORMATION BY FEDERAL ELECTION COMMISSION.—Section 303 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30103) is amended by adding at the end the following new subsection:

''(e) ACKNOWLEDGMENT OF FOREIGN MONEY BAN.—

''(1) NOTIFICATION BY COMMISSION.—Not later than 30 days after a political committee files its statement of organization under subsection (a), and biennially thereafter until the committee terminates, the Commission shall provide the committee with a written explanation of section 319.

''(2) ACKNOWLEDGMENT BY COMMITTEE.—

''(A) IN GENERAL.—Not later than 30 days after receiving the written explanation of section 319 under paragraph (1), the committee shall transmit to the Commission a signed certification that the committee has received such written explanation and has provided a copy of the explanation to all members, employees, contractors, and volunteers of the committee.

''(B) PERSON RESPONSIBLE FOR SIGNATURE.—The certification required under subparagraph (A) shall be signed—

''(i) in the case of an authorized committee of a candidate, by the candidate; or

''(ii) in the case of any other political committee, by the treasurer of the committee.''.

(b) EFFECTIVE DATE; TRANSITION FOR EXISTING COMMITTEES.—

(1) IN GENERAL.—The amendment made by subsection (a) shall apply with respect to political committees which file statements of organization under section 303 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30103) on or after the date of the enactment of this Act.

(2) TRANSITION FOR EXISTING COMMITTEES.—

(A) NOTIFICATION BY FEDERAL ELECTION COMMISSION.—Not later than 90 days after the date of the enactment of this Act, the Federal Election Commission shall provide each political committee under such Act with the written explanation of section 319 of such Act, as required under section 303(e)(1) of such Act (as added by subsection (a)).

(B) ACKNOWLEDGMENT BY COMMITTEE.—Not later than 30 days after receiving the written explanation under subparagraph (A), each political committee under such Act shall transmit to the Federal Election Commission the signed certification, as required under section 303(e)(2) of such Act (as added by subsection (a)).

SEC. 1403. PROHIBITION ON CONTRIBUTIONS AND DONATIONS BY FOREIGN NATIONALS IN CONNECTIONS WITH BALLOT INITIATIVES AND REFERENDA.

(a) IN GENERAL.—Section 319(a)(1)(A) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121(a)(1)(A)) is amended by striking ''State, or local election'' and inserting the following: ''State, or local election, including a State or local ballot initiative or referendum''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to elections held in 2022 or any succeeding year.

TITLE XV—PROHIBITING CAMPAIGNS FROM PAYING SPOUSE OF CANDIDATE

SEC. 1501. PROHIBITING USE OF CAMPAIGN FUNDS TO COMPENSATE SPOUSES OF CANDIDATES; DISCLOSURE OF PAYMENTS MADE TO SPOUSES; DISCLOSURE OF PAYMENTS TO SPOUSES AND FAMILY MEMBERS.

(a) PROHIBITION; DISCLOSURE.—Section 313 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30114) is amended by adding at the end the following new subsection:

''(d) PROHIBITING COMPENSATION OF SPOUSES; DISCLOSURE OF PAYMENTS TO SPOUSES AND FAMILY MEMBERS.—

''(1) PROHIBITING COMPENSATION OF SPOUSES.—Notwithstanding any other provision of this Act, no authorized committee of a candidate or any other political committee established, maintained, or controlled by a candidate of an individual holding Federal office (other than a political committee of a political party) shall directly or indirectly compensate the spouse of the candidate or individual (as the case may be) for services provided to or on behalf of the committee.

''(2) DISCLOSURE OF PAYMENTS TO SPOUSES AND IMMEDIATE FAMILY MEMBERS.—In addition to any other information included in a report submitted under section 304 by a committee described in paragraph (1), the committee shall include in the report a separate statement of any payments, including direct or indirect compensation, made to the spouse or any immediate family member of the candidate or individual involved during the period covered by the report.

''(3) IMMEDIATE FAMILY MEMBER DEFINED.—In this subsection, the term 'immediate family member' means the son, daughter, son-in-law, daughter-in-law, mother, father, brother, sister, brother-in-law, sister-in-law, or grandchild of the candidate of individual involved.''.

(b) CONFORMING AMENDMENT.—Section 313(a)(1) of such Act (52 U.S.C. 30114(a)(1)) is amended by striking ''for otherwise'' and inserting ''subject to subsection (d), for otherwise''.

SEC. 1502. IMPOSITION OF PENALTY AGAINST CANDIDATE OR OFFICEHOLDER.

(a) IN GENERAL.—Section 309 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30109) is amended by adding at the end the following new subsection:

''(e) In the case of a violation of section 313(d) committed by a committee described in such section, if the candidate or individual involved knew of the violation, any penalty imposed under this section shall be imposed on the candidate or individual and not on the committee.''.

(b) PROHIBITING REIMBURSEMENT BY COMMITTEE.—Section 313(d) of such Act (52 U.S.C. 30114(d)), as added by section 1501(a), is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following new paragraph:

''(3) PROHIBITING REIMBURSEMENT BY COMMITTEE OF PENALTY PAID BY CANDIDATE FOR VIOLATIONS.—A committee described in paragraph (1) may not make any payment to reimburse the candidate or individual involved for any penalty imposed for a violation of this subsection which is required to be paid by the candidate or individual under section 309(e).''.

SEC. 1503. EFFECTIVE DATE.

The amendments made by this title shall apply with respect to compensation and payments made on or after the date of enactment of this Act.

DIVISION D—SEVERABILITY

TITLE XV—SEVERABILITY

SEC. 1501. SEVERABILITY.

If any provision of this Act or any amendment made by this Act, or the application of

a provision of this Act or an amendment made by this Act to any person or circumstance, is held to be unconstitutional, the remainder of this Act, and the application of the provisions to any person or circumstance, shall not be affected by the holding.

The SPEAKER pro tempore. The bill, as amended, is debatable for one hour equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Reform, or their respective designees.

The gentlewoman from New York (Mrs. CAROLYN B. MALONEY) and the gentleman from Kentucky (Mr. COMER) each will control 30 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on H.R. 5314, the Protecting Our Democracy Act.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today in strong support of H.R. 5314, the Protecting Our Democracy Act. This sweeping package of reforms would restore integrity, accountability, and transparency to our government.

The landmark reforms in this bill would protect against future abuses, no matter who is President. This includes preventing abuses of the President's pardon power and requiring the President and Vice President to disclose their tax returns.

This bill includes many provisions that have bipartisan support. For example, the bill includes a provision based on a bill previously introduced by Representative DARRELL ISSA to make it easier for Congress to enforce subpoenas.

The bill would strengthen protections for inspectors general by only allowing an IG to be removed for specific documented causes. This reform passed the House with a bipartisan vote in June as part of a bill I introduced to increase the independence of inspectors general, and it passed the House with overwhelming bipartisan support in 2007.

This bill also includes the bipartisan Whistleblower Protection Improvement Act, which I was proud to introduce. These provisions would strengthen protections for whistleblowers who are retaliated against for reporting waste, fraud, and abuse.

These reforms would provide whistleblowers the long overdue right to challenge retaliation in court. It would also prohibit agencies from launching retaliatory investigations and disclosing a whistleblower's identity; and it would make clear that no Federal employee, including the President or Vice President of the United States, may interfere with or retaliate against a whistleblower for sharing information with Congress.

The Protecting Our Democracy Act would also protect the government from political interference by strengthening the Hatch Act.

Just last month, the independent Office of Special Counsel found that 13 senior Trump administration officials, including top White House aides and Cabinet members, broke the law by using their official government position to campaign for President Trump.

This legislation would also limit who can be named an acting official and for how long. I thank Representative KATIE PORTER for her leadership on these reforms which are included in her bill, the Accountability for Acting Officials Act.

The reforms in this bill have broad support from over 150 groups, including the Brennan Center For Justice and the Project On Government Oversight.

My colleagues from across the aisle continue to claim that this bill is about punishing former President Trump, but this is simply not true.

While this bill addresses issues that were highlighted by past abuses, it is not about the past. It is about the future of our democracy, and it will strengthen our democracy.

Madam Speaker, I strongly urge all of my colleagues, both Democrats and Republicans, to vote for the Protecting Our Democracy Act, and I reserve the balance of my time.

Mr. COMER. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, the bill the majority has titled the Protecting Our Democracy Act does nothing to protect anything but the swamp.

Right now, the American people are trying to prepare for the holidays with the highest inflation rate in 30 years. They are struggling to keep their gas tanks full, put food on the table, and heat their homes. They are worried about rising crime in their communities. They are concerned their children have suffered while their classrooms were closed but the borders are wide open to illegal immigrants and deadly drugs.

Democrats are ignoring these real issues facing Americans today. Instead, Democrats want to talk about former President Trump, even though a Democrat has occupied the White House for nearly a year. This is not what the American people want for Christmas.

The Democrats' playbook is about as predictable as a Hallmark Christmas special. We have all seen this movie.

The bill before us today is based on political fiction, and it is the latest attempt to resurrect Democrats' sham investigations of the past.

This bill unconstitutionally disrupts the separation of powers among the branches of government by diminishing the executive branch and ignoring the judicial branch.

For example, the legislation interferes with the President's pardon power, a power completely vested with the President. But this bill gives Congress access to sensitive White House deliberations and communications about pardons. What legislative purpose does that serve?

Congress has no authority to evaluate the President's pardon power. This bill also overrides the judicial branch by attaching partisan definitions to constitutional language that the Supreme Court has already spoken to. It would change the definition of an emolument to fit failed Democrat legal theories and indulge certain Members' false conspiracy theories—Members like, I don't know, Madam Speaker, ADAM SCHIFF.

Rewriting this technical constitutional term would keep any businessperson who has conducted business outside the U.S. from running for President. That would mean no Hunter Biden at the top of the ticket in 2024.

Democrats appear to think the skill set for running a business would not be helpful to the Federal Government. Maybe that is why Democrats' only solution to any problem is to throw American taxpayer dollars at it and not to engage in serious government reform efforts.

Democrats only want career politicians—or even better, career bureaucrats—to be able to serve as elected officials. Similarly, Democrats are determined to make the Federal Government run as inefficiently as possible by allowing incompetent or dishonest Federal employees to keep their jobs.

The so-called whistleblower protections in the bill are so expansive that if a Federal employee, even a bad or ineffective one, claims they are a whistleblower, they are almost immune from scrutiny.

The Committee on Oversight and Reform has great respect for whistleblowers. We need them to conduct true oversight. They serve an essential role in evaluating waste, fraud, and abuse in the Federal Government. But sometimes Federal employees attempt to claim they are whistleblowers to shield themselves from scrutiny for poor performance. We should not make it impossible to vet whistleblowers' claims and their work.

Further, the policy in the Democrats' bill to entrench inspectors general is another policy that reduces the efficiency of the Federal Government and another example of the legislative branch intruding on the operations of the executive branch.

Madam Speaker, it is Christmastime. Instead of fixing the many problems created by President Biden, like the supply chain, energy, border, and economic crises, Democrats have decided to take up a sham bill and deliver a lump of coal to the American people.

Instead of spending time on Democrats' favorite obsession, President Trump, we should instead take on the issues facing Americans today.

Madam Speaker, I reserve the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, I yield 1½ minutes to the gentlewoman from Connecticut (Ms. DELAURO), the distinguished chair of the Committee on Appropriations.

Ms. DELAURO. Madam Speaker, I thank the gentlewoman for her leadership, alongside Chairman SCHIFF, on this very important legislation.

Madam Speaker, the previous administration played fast and loose with the American people's hard-earned tax dollars. And just as seriously, it exposed dangerous faults in our democratic institutions that, if left unaddressed, will erode the American people's trust in our democracy.

That is why I am proud to be a cosponsor of the Protecting Our Democracy Act, which restrains Presidents from abusing the public trust.

Of particular importance to me as chair of the Appropriations Committee, this bill will ensure that every President, regardless of party, will be subject to the Congress' constitutional power of the purse.

It will strengthen congressional control and review over funding to ensure that Federal dollars are being used as directed by the Congress.

It will require the Office of Management and Budget to publish how it apportions the appropriations provided by the Congress to executive agencies.

Finally, the Protecting Our Democracy Act will increase reporting to Congress on the executive branch's compliance with the Impoundment Control Act and the Antideficiency Act, two bedrock laws that were enacted to protect Congress' appropriations power.

The American people deserve a voice in how their money is spent. Through their duly elected Representatives in the Congress, the Protecting Our Democracy Act gives the American people that voice.

Madam Speaker, I strongly urge support for this important piece of legislation.

Mr. COMER. Madam Speaker, I yield 1 minute to the gentleman from Arkansas (Mr. CRAWFORD).

Mr. CRAWFORD. Madam Speaker, I thank the gentleman for his leadership.

Madam Speaker, I rise today to oppose this insane piece of legislation House Democrats are proposing.

This bill is yet another further attempt by the chairman of the House Permanent Select Committee on Intelligence, ADAM SCHIFF, to retroactively attack President Trump, even after the Democrats' Russian collusion allegations have been repeatedly debunked.

I want to specifically bring attention to Title XIII of this ridiculous bill. This provision requires employees, officials, and agents of a Presidential campaign to report foreign national contact and/or contributions to the FEC and to the FBI. The FBI is then required to provide notice to the campaign and to the House Permanent Select Committee on Intelligence, or HPSCI, as we call it.

Sound familiar? The FBI would be required to work with HPSCI on counterintelligence investigations into political candidates. What could possibly go wrong?

This provision is designed to further the Democrat-led FBI scheme against Republican Presidential candidates, just as they did with President Trump.

Here's how it would work: First, if a foreign government contacts a Republican campaign, the Republican campaign, in compliance with the proposed law, reports the contact to the FBI. Then the FBI notifies HPSCI Democrats, and somehow the media miraculously finds out about it and runs story after story about the Republican campaign colluding with the foreign government.

□ 1245

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. COMER. Madam Speaker, I yield the gentleman an additional 30 seconds.

Mr. CRAWFORD. Lather, rinse, repeat. I am not sure if anyone has told Chairman SCHIFF and House Democrats yet, but Donald Trump is, unfortunately, no longer President. Time to stop living in the past.

The clear intent of this bill is to weaponize the Federal Government bureaucracy against Republican candidates. If this legislation becomes law, Madam Speaker, don't be surprised if we see Russian hoaxes every 2 years.

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, I yield 1½ minutes to the gentleman from the great State of Oregon (Mr. DEFAZIO), the distinguished chair of the Committee on Transportation and Infrastructure.

Mr. DEFAZIO. Madam Speaker, this bill does not look back.

Yes, we saw the abuses of Donald Trump over using the 1976 National Emergency Act in ways that it had never ever been used before to move money around to things because he couldn't get it appropriated through a Republican Senate and a Republican House. He couldn't get it done, so he moved the money around.

Anybody who works in the House of Representatives or the Senate should be insulted that you want to empower a President—what about if Joe Biden starts doing that? Don't you want to have these tools? Or any other future President of either party?

This isn't about Donald Trump. It is about the Trump era, which exposed things that need to be fixed, and this law does that.

Subpoena power—our subpoenas should be enforceable, whether they are from a Democratic Congress or a Republican Congress. They are not.

The Department of Justice needs to have a firewall between the White House and the Department of Justice. You can't have the President calling up the Department of Justice, telling them to prosecute people or make stuff up. Any President of any party shouldn't be able to do that.

Then the President embargoed, stopped money that Congress, a Republican Congress, had sent for Ukraine. Just stopped it. But apparently, on the other side of the aisle, they feel like their job is to be handmaidens in case Trump comes back.

They don't want to put in the protections now when Joe Biden is there, who they carry on about as abusive all the time. Why not put in the protections now? Because you want Donald Trump to be able to come back and continue these sorts of abuses.

Mr. COMER. Madam Speaker, I yield 1½ minutes to the gentleman from Utah (Mr. STEWART).

Mr. STEWART. Madam Speaker, there is so much in this bill to be concerned about.

For the last 5 years, as a member of the House Intelligence Committee, I lived through the Russian hoax, I lived through impeachment 1, I lived through impeachment 2, all of which are great examples of provisions in this bill that harm our democracy. Let me talk about just one of them.

Tucked into this bill's provisions are elements which will rewrite the very nature of our democracy, whittling down the meaning of government for the people and by the people.

The President of the United States is elected by the people to run the executive branch. The President, by design, is accountable to the people. But among the many failures in this bill before us today are new sections which would severely restrict the ability of the President to remove senior government employees. This will have the effect of empowering these senior officials with the ability to paralyze a President whose policies they may not agree with, which we saw again and again during the Russian hoax, during impeachment 1, and during impeachment 2. This sets a dangerous precedent that will create a permanent bureaucratic resistance to the duly elected President.

The danger of these provisions will also set in motion a precedent to weaponize the entire intelligence community bureaucracy by allowing anonymous individuals to paralyze a President without any accountability. If you don't think it is going to happen, I refer you back to the Russian investigation hoax, to impeachment 1, and to impeachment 2. This guarantees more of this collusion.

Madam Speaker, I urge my colleagues to vote against this bill.

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, I yield 1½ minutes to the gentlewoman from the great State of California (Ms. LOFGREN), the distinguished chairwoman of the Committee on House Administration.

Ms. LOFGREN. Madam Speaker, I want to highlight an important element of reform that came out of work

a while ago from the House Administration Committee.

Most Americans believe that if a foreign adversary reaches out to interfere in our elections, the campaign ought to report that to law enforcement. Instead, as we saw in the previous administration, campaign officials welcomed and, in some cases, even solicited foreign assistance for political activities. This bill creates a duty to report illicit offers of campaign assistance from foreign governments to law enforcement.

It also clarifies what is a thing of value. It includes information sought or obtained for political advantage, like opposition research.

It ensures that individuals engaging in misconduct with foreign actors to influence our elections would be held accountable. It also ensures that foreign money cannot influence our politics through State and local ballot initiatives and referenda, closing a loophole that recently was created by the FEC.

Now, it is astounding to hear criticism of the idea that the FBI should be notified when a foreign adversary is trying to corrupt our elections. We all know that that should happen.

To distrust our law enforcement agencies when it comes to protecting our country from this kind of attack—which is what it is—from a foreign adversary is shocking. Support this bill.

Mr. COMER. Madam Speaker, I yield 1 minute to the gentlewoman from Illinois (Mrs. MILLER).

Mrs. MILLER of Illinois. Madam Speaker, I rise today in opposition to H.R. 5314.

Bringing H.R. 5314 to the House floor this week shows that the Democrats' priority is partisan politics, not policies that will directly benefit the American people.

If Democrats were serious about bipartisan reforms, they wouldn't be pushing a bill like H.R. 5314. This bill is nothing but a continuation of the Democrats' obsession with President Trump. He lives rent free in their heads.

This bill incorporates several unnecessary ''reforms'' that are nothing but an attempt to validate House Democrats' baseless investigation of the Trump administration.

It is a huge red flag that H.R. 5314 was referred to nine committees and not one Democrat-led committee has held a hearing or a markup on the legislation. This legislation is being pushed through without proper order, and I oppose it.

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, I yield 2 minutes to the gentleman from the great State of California (Mr. SCHIFF), the distinguished chair of the Permanent Select Committee on Intelligence.

Mr. SCHIFF. Madam Speaker, I rise in support of the Protecting Our Democracy Act. I am very proud to sponsor this legislation, and I am grateful for the partnership of many chairs and Members who contributed to the effort, as well as the leadership of Speaker PELOSI.

Our system was founded upon a respect for the rule of law and a carefully constructed balance of power among the three branches. That system has, throughout history, been tested. Just as, after Watergate, Congress worked to pass reforms like campaign finance laws and new ethics rules, so we must now examine the cracks in the democratic foundation and address them.

That is precisely what this bill does. It will prevent Presidential abuses of power, ensure the independence of our justice system, and reinforce the system of checks and balances.

Specifically, among other things, it would prevent corruption or misuse of the pardon power. It would ensure that Congress may exercise its constitutionally mandated oversight responsibilities and enforce subpoenas in a timely manner. It protects whistleblowers and expands the independence of inspectors general. It reestablishes Congress' power of the purse.

This bill has garnered support from groups across the political spectrum because it is not about politics; it is about the survival of our democratic system of government. Many of the reforms included in this package are sponsored and supported by Republicans as well as Democrats.

I urge all of my colleagues in Congress to support the Protecting Our Democracy Act. The day that we were sworn into office, we made a sacred pledge of allegiance and loyalty to the United States. This bill places our oath to democracy and the Constitution above party politics. This is a moment and a vote when we have the opportunity to fulfill that oath.

Mr. COMER. Madam Speaker, I was hoping the chairman of the Intelligence Committee was going to present the evidence of Russian collusion during his time, but apparently not.

I yield 1 minute to the gentleman from Wisconsin (Mr. FITZGERALD).

Mr. FITZGERALD. Madam Speaker, I rise today in opposition to H.R. 5314. The bill is simply another political attack by the Democrats on President Trump. It also destroys the separation of powers between the President and Congress.

I introduced an amendment to the bill to require Congress to be notified when the AG terminates a special counsel, but unfortunately, the Rules Committee failed to adopt it.

My colleagues on the other side of the aisle spent the last several years peddling bogus allegations that President Trump colluded with Russia. Now the Durham investigation has proved these allegations were a sham that wasted years of time and resources, and now we know the Clinton campaign paid Fusion GPS to draft the dossier as opposition research.

Fusion GPS relied on information from Igor Danchenko, a Russian who worked at the Brookings Institution. Mr. Danchenko based his information on tales from Chuck Dolan, a public relations executive who worked for the Hillary Clinton campaign in the past. The whole scheme was a vicious circle that began and ended with the Clinton campaign.

We cannot have a bill that works to prevent overreach by one branch of government. I urge my colleagues to oppose the bill.

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, I yield 1½ minutes to the gentleman from the great Commonwealth of Kentucky (Mr. YARMUTH), the distinguished chairman of the Committee on the Budget.

Mr. YARMUTH. Madam Speaker, democracy is not static. It is not self-effectuating. It requires a concerted effort to keep and a willingness to stand up against those who would seek to undermine it.

The bill before us reaffirms our commitment to democracy, transparency, accountability, and a strong system of checks and balances.

Our Founders knew that the power of the purse would be fundamental to the separation of powers and to our democratic government itself, and they explicitly gave that power to Congress, the branch most responsive to the will of the people.

However, over the past few decades, the executive branch has encroached on our constitutional spending authority, and dangerous precedents have been set. Presidents and agencies of both parties have pushed the boundaries, seeking more control of spending powers. The previous administration's disregard for the rule of law and contempt for institutional norms made even more clear the need for laws that can withstand a lawless executive.

The commonsense reforms in this landmark legislation will restore Congress' central role in funding decisions, increase executive transparency, and add teeth to our budget laws. None of these provisions or the many others in this legislation is partisan. After all, this bill was introduced during the Trump administration, and it is being advanced during the Biden administration. It is solely about shoring up the separation of powers and maintaining the rule of law.

Therefore, I encourage my colleagues on both sides to uphold our sworn duty to defend the Constitution and vote ''yes'' on the Protecting Our Democracy Act.

Mr. COMER. Madam Speaker, I yield 1 minute to the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. Madam Speaker, setting aside the Democrats' neurotic obsession with all things Donald Trump, this measure has many provisions that would receive bipartisan support if the bill's author were so inclined.

But when we speak of protecting democracy, we need to remember what democracy is. It is the process by which the sovereign people, through

elections, decide who will control and direct the powers that we entrust to our government.

''The executive power shall be vested in a President of the United States of America.'' If the executive branch begins to operate independently of the President, the will of the people is thwarted and democracy is diminished.

For example, the Tenure of Office Act limited the President's authority to remove Cabinet officers, a dangerous concept ultimately repealed by the Congress and repudiated by the Supreme Court. Provisions in this bill, such as those that interfere with Presidential appointments, cross that very bright constitutional line.

□ 1300

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, I yield 2 minutes to the gentleman from New York (Mr. NADLER), the distinguished chairman of the Committee on the Judiciary.

Mr. NADLER. Madam Speaker, I rise in strong support of the Protecting Our Democracy Act.

Transparency and accountability are the bedrock of our democratic system. They are the essential guardrails that protect against unchecked executive power. Unfortunately, the Trump administration exposed certain vulnerabilities in the fabric of our democracy by engaging in conduct that was once unthinkable, and like the reforms enacted post-Watergate, we must now act to prevent similar abuses from a future President.

Although many of these provisions were informed by our experience with the prior administration, they are pointedly not anti-Trump measures. Rather, they are forward looking, and they protect against the abuses by future Presidents of any party. Importantly, many of them are also based on proposals that have bipartisan support.

I am especially proud of the provisions in this bill that fall within the Judiciary Committee's jurisdiction.

These include requiring an expedited, streamlined process for enforcing Congressional subpoenas in court. This would prevent an administration from stonewalling Congressional oversight and then evading accountability for years while the courts resolve the issue.

To address abuses of the clemency power, the bill requires additional transparency, and it reaffirms that abuses of the clemency power can form the basis of a bribery scheme and that self-pardons are prohibited.

It pauses the statute of limitations on Federal offenses during a President and Vice President's term in office to ensure that they can be held accountable for criminal conduct just like any other American.

And it addresses improper communications between the White House and the Department of Justice, an all too common occurrence under the last administration.

Madam Speaker, when the Nation's Founders wrote the Constitution, after having just fought a war against a tyrant, they stood fast to a key principle, that the executive must not be a king and must instead be accountable to Congress, to the people, and ultimately, to the rule of law. It is vital that we reassert this important principle.

The Protecting Our Democracy Act would restore these and other checks and balances that are so fundamental to our democracy.

I urge all Members to support this vital legislation.

Mr. COMER. Madam Speaker, I yield 4 minutes to the gentleman from Illinois (Mr. RODNEY DAVIS), the ranking member of the House Administration Committee.

Mr. RODNEY DAVIS of Illinois. Madam Speaker, I thank my good friend, the gentleman from Kentucky, for yielding. The bill we are debating here today, the so-called Protecting Our Democracy Act, is another attempt by the outgoing majority to relitigate many of the Democrats' sham investigations. Many of the bill's provisions are unnecessary and recycled attempts to take away individual States' sovereignty. If we were really here to talk about protecting our democracy, then we would focus on the importance of voter rolls list maintenance to ensure only eligible citizens are able to vote in Federal elections.

Congress passed the bipartisan National Voter Registration Act in 1993. That is almost 30 years ago. This law requires States to conduct regular list maintenance to ensure their voter rolls are kept up to date. This simple, commonsense requirement is incredibly important for voter confidence in our entire election process and its outcomes.

However, the Biden DOJ refuses to enforce it. Instead, Progressives focus on defunding the police and embracing lawlessness, keeping our economy and Capitol shut down while ignoring the science, labeling concerned parents as extremist threats, and weaponizing the DOJ to go after them, and pursuing reckless, unnecessary spending that is driving the inflation every single American feels in their pocketbook.

If Democrats were really focused on protecting our democracy, the Biden Justice Department would investigate States like California where the number of registered voters far exceeds the number of adults in the State. Senator ALEX PADILLA, a newly appointed Senator from the State of California, knew about the problem and refused to address it when he was Secretary of State in California during the last election cycle.

Republicans care about election integrity because our constitutional republic means nothing if our citizens don't have faith in our elections.

When everyday Americans hear more and more reports of individuals on active voter rolls who have moved to another State, died, or are noncitizens, it frustrates them because it calls into question whether their valid vote actually counts. One eligible person, one whole non-diluted vote.

It is so frustrating because the fix is so simple, but Democrats refuse time and time again to address this problem. It is common sense and has been Federal law for decades that only eligible Americans should be on our voter rolls.

Republicans want every eligible voter who wants to vote to exercise that right. Democrats dilute your vote, but Republicans restore it.

I am here today to talk about protecting our democracy, and I think the only way to do that is to make sure Americans know our elections have integrity.

So today, I am calling on the radical Biden Justice Department to do the right thing and enforce Federal law across the board. Stop investigating parents that want to be involved in their children's education. Stop supporting efforts to defund our men and women in blue resulting in the lawlessness that we see ravaging our great country.

Focus on what really matters. Protect our democracy, protect our vote, and ensure States like California conduct voter roll list maintenance so that voters know only eligible American citizens are able to vote.

Madam Speaker, I include in the RECORD a report from the Department of Justice IG detailing the DOJ's official policy not to enforce Federal voter list maintenance requirements.

[From the U.S. Department of Justice, Office of the Inspector General, March 2013]

A REVIEW OF THE OPERATIONS OF THE VOTING SECTION OF THE CIVIL RIGHTS DIVISION

V. ENFORCEMENT OF THE NATIONAL VOTER REGISTRATION ACT (NVRA)

In this section we review the Voting Section's history of enforcing the National Voter Registration Act, the so-called motor-voter law. Enacted in 1993, the NVRA has. two primary purposes: to increase the number of eligible citizens who register to vote in federal elections and to protect the integrity of the electoral process. 42 U.S.C. 1973gg(b). Critics have alleged that CRT leadership during the prior administration favored enforcement of the list-maintenance (electoral integrity) provisions because those provisions purportedly are more strongly supported by Republicans and remove more potential Democratic voters from the rolls. Conversely, critics of the current CRT leadership allege that it has neglected the electoral integrity provisions of the NVRA in favor of enforcing the voter access provisions, because these provisions purportedly are supported by Democratic constituencies and lead to the registration of more voters who are likely to support Democrats. Without opining on the underlying political assumptions, we examine both of these allegations in this section.

A. DATA REGARDING ENFORCEMENT TRENDS IN NVRA CASES

Figure 3. 7 below displays the number of NVRA enforcement actions initiated by the Voting Section on an annual basis since January 1995, when the statute became effective in most states. Figure 3. 7 is broken down by actions that enforced the statute's list-maintenance provision (Section 8(a)(4)), actions

that enforced the voter registration provisions (Sections 5, 6, 7, and the improper purging paragraphs of Section 8), and actions that brought both types of claims.

The most noteworthy trend in the Department's enforcement of the NVRA relates to the statute's voter list-maintenance provision, Section 8(a)(4). In the 17 years since the statute became effective, the Department has asserted list-maintenance claims on 7 occasions, 6 of which occurred in a 3-year span between 2004 and 2007. According to Hans von Spakovsky, CRT leadership initiated an effort to enforce Section 8's list-maintenance provision in late 2004. Von Spakovsky told the OIG that he recommended to Division leadership exploring those cases because he believed that the Department had never conducted a systematic review of states' list-maintenance compliance in the 10 years since the NVRA became effective. This effort ultimately resulted in the filing of a complaint alleging list-maintenance claims in 2005 and 2006. According to witnesses involved in the four other matters involving list-maintenance claims brought between 2004 and 2007, those claims arose when the Section obtained evidence suggesting a failure to comply with the list-maintenance provision during the course of ongoing investigations into other voting-related matters.

B. ENFORCEMENT OF THE NVRA DURING 2001–2008

We received allegations that the only NVRA cases that Division leadership wanted to pursue during this period were Section 8(a)(4) list-maintenance claims, at the expense of cases to protect or increase voter registration under other provisions of the NVRA. Critics further alleged that the Division's leadership was particularly focused on bringing such list-purging cases in political swing states and large Democratic jurisdictions. The Division's leadership denied any such focus and identified several cases approved by Division leadership to controvert the suggestion that NVRA enforcement decisions were driven by a partisan agenda. We examined the entire range of NVRA cases pursued during January 2001 to January 2009 in order to address this issue.

From January 2001 through January 2009, the Department was involved in 12 NVRA enforcement matters, summarized in Table 3.2.

As reflected in Table 3.2, the Voting Section began filing list-maintenance cases in 2004. As noted above, von Spakovsky confirmed that Division leadership initiated an effort in 2004 to enforce Section 8's list-maintenance provision on a systemic basis. Von Spakovsky told the OIG that he recommended exploring those cases because he believed the Department had never conducted a systematic review of states' list-maintenance compliance in the 10 years since the NVRA's enactment.

Division leadership directed the Voting Section to conduct the research effort, to review the census data and voter registration data for all 50 states to determine which states had more people registered to vote than the voting-age population, as reflected in the census data. Based on the results of this research, the Section sent letters to 12 states, stating that the Section's review of relevant data indicated that the state may not be complying with Section 8's list-maintenance provision and requesting information on their efforts to remove ineligible voters from their registration lists.

Von Spakovsky told the OIG that some of the targeted states responded to the Department's letter, explained why there was a discrepancy in the data, and established that they were complying with the NVRA's list-maintenance requirements. He also stated that a number of states failed to show that they were in compliance with Section 8(a)(4) and that the Section proceeded toward enforcement actions against those non-compliant states.

Division leadership approved the filing of two complaints as a result of this enforcement initiative. In November 2005, the Section filed a lawsuit against the state of Missouri alleging both improper purging and failure-to-purge violations. In June 2006, the Section filed a complaint against Indiana alleging that the state failed to conduct list purging as required by Section 8(a)(4). The Indiana case was resolved by a settlement agreement, but the Missouri case continued until early 2009, when the Division voluntarily dismissed the case.

In 2006 and 2007, Division leadership approved three additional complaints containing Section 8(a)(4) list-maintenance claims, against the States of Maine and New Jersey and the City of Philadelphia. According to the Voting Section attorney supervising those efforts, these complaints did not arise out of the enforcement initiative described above. Instead, the complaints were brought as a result of investigations under the Help America Vote Act (HAVA) that uncovered evidence of both HAVA and NVRA violations. The Section ultimately settled the lawsuits with Maine, New Jersey, and Philadelphia. In each settlement agreement, the jurisdiction agreed to implement specific steps to satisfy its list-maintenance obligations.

In August 2007, Voting Section Chief John Tanner initiated a program to enforce Section 7 of the NVRA, requiring states to provide voter registration opportunities in public assistance and disability offices. Section attorneys reviewed federal Election Assistance Commission (EAC) data to identify states that were not meeting Section 7's requirements and discovered 18 states that reported registering 0 voters in offices providing public assistance over the previous 2-year period. Following further investigation, the Section entered into settlement agreements with Arizona and Illinois to resolve Section 7 violations.

In 2007 and 2008, Voting Section teams reviewed EAC data and census information to identify states that might not be in compliance with the NVRA'sSection 8(a)(4) list-maintenance requirements. The teams identified states in which a significant percentage of the counties or electoral jurisdictions had more registered voters than voting-age population. The teams recommended to Division leadership that the Voting Section initiate investigations into the states that failed to meet the relevant criterion. The states that were the subject of these recommendations included some states that historically have consistently favored one party in presidential elections as well as political ''swing states.'' The 2007 recommendation was approved and the Section later issued requests for information to the relevant states. Ultimately, however, no further enforcement action was taken arising out of this effort. The investigations that were proposed in late November 2008 were never approved by either the outgoing or the incoming administrations.

C. ENFORCEMENT OF THE NVRA DURING 2009–2012

1. Division Leadership Declines To Act on Voting Section Proposal for Section 8 Investigation

In February 2009, shortly after the new administration took office, the Voting Section submitted a memorandum to Division leadership requesting approval to initiate investigations into the list-maintenance procedures of a State (''State E''). According to the State E memorandum, voter-registration data indicated that roughly 22 percent of State E's counties had more registered voters than either the voting-age population or the citizen voting-age population. The memorandum stated that the Section had been alerted to State E's potential list-maintenance failures in connection with an unrelated Section 5 investigation. We were told that the Section never received a response from Division leadership to the proposal memorandum.

2. Drafting of NVRA Guidance

In the spring of 2009, a few months after the inauguration of the new administration, the Department commenced an effort to draft public guidance concerning the requirements of NVRA Section 7. Samuel Hirsch, who joined the Department in March 2009 as a Deputy Associate Attorney General and led the NVRA guidance effort, described the project as rewriting the NVRA in plain terms and posting it on the CRT website to assist those running state governmental offices in complying with the NVRA's requirements. Hirsch told the OIG the original scope of the NVRA guidance project was limited to Section 7 because the administration believed that Section 7 had been somewhat ignored by state government officials. According to Hirsch, there was a sense in the administration that NVRA Section 8 and other provisions were working fairly well, but that Section 7 ''was slipping through the cracks.''

DAAG Julie Fernandes and AAG Thomas Perez became involved in the NVRA guidance project after they joined the Department in July and October 2009, respectively. According to Fernandes, she expressed concern to Hirsch that the project was limited to Section 7 and proposed broadening the guidance to include other NVRA provisions, such as Sections 5 and 8. Perez also told the OIG that in early 2010 he instructed that the guidance include a discussion of all NVRA provisions, including the list-maintenance provisions. Hirsch told the OIG that he did not oppose expanding the guidance to include Section 8, but stated that he may have been opposed to holding up the release of the Section 7 guidance while preparing the Section 8 segment. The Division ultimately posted guidance concerning NVRA Sections 5, 6, 7, and 8 on its website in June 2010.

3. Comments by DAAG Julie Fernandes Regarding NVRA Enforcement at a November 2009 Section Meeting

DAAG Julie Fernandes told the OIG that she urged Voting Section Chief Christopher Coates to hold section-wide meetings shortly after she joined the Department in July 2009. As a result, the Voting Section held several brown-bag lunches. In addition to the September meeting at which Section 2 enforcement was discussed as outlined above, another session devoted to NVRA matters was held on November 10, 2009.

At some point during the November meeting, the discussion turned to the enforcement of the NVRA's voter list-maintenance provision in Section 8. Witnesses who recalled Fernandes's statements uniformly remembered that she said something to the effect that she was more interested in pursuing cases under NVRA Section 7 than Section 8 because Section 8 does not expand voter access. Witnesses' recollections of the context of Fernandes's statements, her precise wording, and the meaning of her comments, however, varied widely.

Thirteen witnesses told the OIG that Fernandes stated that she ''did not care about'' or ''was not interested'' in pursuing Section 8 cases, or similar formulations. For instance, Chris Herren, who was later promoted by current Division leadership to Section Chief, told the OIG that Fernandes made a controversial and ''very provocative'' statement at this brown bag lunch. In particular, Herren stated that Fernandes stated

something to the effect of ''[Section 8] does nothing to help voters. We have no interest in that.'' Herren told the OIG that he winced when he heard Fernandes's response because he believed it would raise a controversy. Two other Section attorneys took handwritten notes at the meeting, both of which quoted Fernandes saying that she did not ''care'' about Section 8.

Ten attorneys who attended the meeting told the OIG that they interpreted Fernandes's comments to be a clear directive that Division leadership would not approve Section 8 list-maintenance cases in the future. One Section attorney told the OIG that he understood Fernandes's statements to mean that proposing a Section 8 case would be futile and that he believed proposing Section 8 could be detrimental for the attorneys.

Seven Voting Section attorneys told the OIG, however, that they did not believe Fernandes said that the Division would not enforce Section 8 of the NVRA. Among these were three Deputy Chiefs who told the OIG that they believed Fernandes meant that Section 7 cases would be prioritized over Section 8 matters, but that they did not construe her statement to mean that Section 8 cases would not be approved. Those attorneys who were generally identified as being more conservative tended to recall that Fernandes took the more extreme position, while those generally identified as being more liberal tended to recall her statements as being more limited.

Fernandes told the OIG that she did not recall exactly what she said at the November brown bag lunch regarding enforcement of Section 8 of the NVRA. She said that she and the Section staff discussed the NVRA and what their approach, goals, and strategy should be. She said that she talked about how Division leadership is interested in creating equal opportunity for minority voters. Fernandes further told the OIG that she talked about wanting the Section to focus on voter access, which would involve NVRA Sections 5, 7, and 8, all of which are in the vein of ensuring that jurisdictions have a fair and accessible process for all voters. She stated that she recalled being asked about Section 8 and that her response included something to the effect that Division leadership's focus is on the provisions of the NVRA pertaining to voter access.

With respect to the comments attributed to her that she did not care about enforcing Section 8, Fernandes told the OIG that she did not think she said the words ''don't care'' about enforcing Section 8 because that is not her position. Fernandes denied saying that she or Division leadership had no interest in pursuing Section 8 cases. Fernandes said that she believed her comment about not caring was in the context of how to determine what jurisdictions they should target for enforcement, given that she believed there is widespread noncompliance with the NVRA.

Fernandes noted that the list-maintenance provision of Section 8 requires jurisdictions to employ reasonable, non-discriminatory measures to ensure that people who are eligible can vote and those who are ineligible cannot. Therefore, Fernandes stated, she does not care whether a jurisdiction's voter list is big, but rather whether it has a list-maintenance program that does not work. She explained that the fact that a jurisdiction's voter list is too big means that the Section may want to inquire about the jurisdiction's list-maintenance program, but that alone would not justify bringing a lawsuit.

Roughly one year later, in September 2010, allegations concerning Fernandes's comments at the brown bag lunch regarding NVRA enforcement surfaced in news media. Fernandes and other Division leadership personnel assisted other Department officials in preparing talking points to address the allegations and Fernandes stated in one of the relevant e-mails: ''If we are o.k. with having priorities, we should say that we have a priority on the enforcement of the NVRA, with a focus on the parts of the statute that require states to provide voter registration opportunities in a variety of settings.''

4. Approval of List-Maintenance Investigations

In September 2009, the Section submitted a memorandum to DAAG Fernandes requesting authority to initiate formal investigations into the list-maintenance procedures of eight states. The recommendation was based on the Section's review of an EAC report that contained voting-related data from each of the 50 states covering the period from November 2006 to November 2008. A Deputy Section Chief supervised a team of Section attorneys that reviewed the EAC report for anomalous entries, particularly states that reported that throughout the 2–year period they did not remove any voters from their rolls due to death or that they had not issued any voter-removal notices related to citizens who were believed to have moved out of the state. The team identified eight states that met one of those criteria, four of which reported removing zero ineligible voters from their rolls over the 2–year period for any reason, including death, change of address, disqualifying criminal conviction, or mental incapacity.

The team presented the relevant data in its memorandum to DAAG Fernandes and stated that the information suggested that the eight states in question were not fulfilling their list-maintenance obligations under Section 8. As a result, the team recommended initiating formal investigations of the states in question and directing inquiries to relevant state officials.

Fernandes told the OIG that, after receiving the proposal for the Section 8 investigations, she told Section Chief Coates that he needed to ''hold off' because she was not ready to decide whether this was the proper approach for NVRA enforcement. Fernandes told the OIG that she believed the Section's NVRA work when she became DAAG in July 2009 was disorganized and that its process for evaluating NVRA matters was ''random, unstrategic, [and] not very well thought-out.'' She said that Division leadership and Voting Section management were therefore engaged in a process of identifying what their NVRA enforcement strategy should be by reviewing where the Section had focused its enforcement efforts in the past, determining which areas had been neglected, and developing an analytical model to bring NVRA cases.

According to Fernandes, she and Division leadership believed that the NVRA enforcement efforts from January 2001 through January 2009 had focused on Section 8's list-maintenance cases, largely to the exclusion of the voter-registration provisions in Section 7, which she believed had been under-enforced and neglected. While we found no evidence that she examined any data to support this belief, it was consistent with what we found to be the prevailing belief about the prior administration's efforts in this area. Fernandes stated further that she believed the way to ''rectify this imbalance was to determine what Section 7 efforts were in process, whether they were being performed correctly, and whether the Section should expand its Section 7 enforcement further. Fernandes stated that her supervisors were pressuring her to move forward on Section 7 enforcement and that she received a clear message that they viewed enforcing Section 7 as a higher priority than Section 8. She told the OIG that she believed she had to ''scratch the Section 7 itch before turning to Section 8 matters and that her supervisors would have criticized her if she had approved Section 8 efforts first. She also noted that there was significant criticism of the Department from civil rights groups that their Section 7 enforcement efforts had been inadequate, saying they had gotten—and continued to get—''beat up all the time by [their] lefty friends not doing enough on Section 7.''

Mr. RODNEY DAVIS of Illinois. This is a report from the DOJ's IG. It takes this many pages to tell the American voter that they are not going to enforce Federal law in ensuring that States actually provide and exercise the required voter list maintenance. This is an affront to election integrity in our great country, and it needs to end today.

Let's protect our democracy, and let's work together to make that happen.

Mr. COMER. Madam Speaker, may I inquire how much time I have remaining?

The SPEAKER pro tempore (Ms. CLARK of Massachusetts). The gentleman from Kentucky has 15¾ minutes remaining.

Mr. COMER. Madam Speaker, I reserve the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, I yield myself such time as I may consume.

I include in the RECORD a letter of support for the Protecting Our Democracy Act listing over 150 organizations supporting this important legislation. We have widespread support across this Nation.

OCTOBER 6, 2021.

OVER 150 ORGANIZATIONS SEND JOINT LETTER URGING CONGRESS TO PASS THE PROTECTING OUR DEMOCRACY ACT

DEAR MEMBERS OF CONGRESS: The undersigned organizations, on behalf of the millions of Americans our groups collectively represent, write to urge you to support and pass the Protecting Our Democracy Act.

For decades, congressional authority has been undermined by the executive branch, diminishing the ability of Congress to fulfill its constitutional duties, to protect the rule of law, and to hold all presidents accountable for overreaches and abuses of power. The last time Congress passed significant reform to protect our democracy from abuses of executive power was after the Watergate scandal. The time has come for new guardrails to reassert Congress' role as a coequal branch of government.

Today, lawmakers on both sides of the aisle and in both chambers have an interest in restoring the checks and balances entrusted to them in our Constitution. The Protecting Our Democracy Act would do just that by restoring the powers the Founders vested in the legislative branch to serve as a check on the executive without infringing upon the president's constitutional powers.

Among other reforms, this historic bill would:

Strengthen Congress's ability to oversee the executive branch by fortifying congressional subpoena power by providing expedited consideration of subpoena enforcement by courts, so the executive branch cannot run out the clock on congressional oversight;

Ensure inspectors general are qualified and empowered to hold federal agencies accountable without fear of reprisal by requiring the

president to have ''good cause'' for removing an inspector general and enhancing reporting requirements when there is a vacancy;

Ensure whistleblowers can continue shining light on corruption and abuses of power that betray the public trust by enhancing protections against retaliation, providing legal defenses for whistleblowers against civil and criminal liability, and allowing whistleblowers to have their day in court;

Reinforce Congress's constitutional powers over spending and the power of the purse by requiring the Office of Management and Budget to make public basic information about the management of federal funds, and reporting to Congress to ensure those funds are spent in accordance with the law;

Prevent political interference with the U.S. Department of Justice by putting a permanent, statutory requirement in place that will ensure transparency and accountability related to their communications with the White House;

Strengthen the Hatch Act to protect federal agencies from being used for political purposes and ensure senior political appointees are held accountable under the law the same way other federal employees are.

Prevent abuse of the president's pardon power by increasing transparency of the pardon process, prohibiting self-pardons by the president, and clarifying that pardons are ''official acts'' for the purposes of federal bribery statute;

Provide for enforcement of the domestic and foreign Emoluments Clauses of the Constitution, to prevent a president from profiting from payments by foreign or domestic governments; and

Secure our elections from foreign interference, by ensuring political campaigns are informed of the laws banning foreign interference and are prepared to comply and report any attempts of foreign interference.

In this perilous moment for our republic, we believe it should be a top priority for this Congress to repair our democracy, including ensuring that no future president is permitted to abuse the power of their office.

If enacted, the Protecting Our Democracy Act would protect against future presidential abuses of power, restore the integrity of our democratic institutions, and ensure transparency from the chief executive.

Given the urgency of this crisis and for these reasons, we call on you to swiftly pass this critical legislation.

Sincerely,

20/20 Vision, Academics Stand Against Poverty, Accountability Lab, Affiliation of Christian Engineers, American Federation of Teachers (AFT), American Oversight, American-Arab Anti-Discrimination Committee (ADC), Animals Are Sentient Beings, Inc., Arab American Institute (AAI), Asian Law Alliance, Asian Pacific American Labor alliance, AFL–CIO, Bend the Arc: Jewish Action, Beyond Pesticides, Blacks in Law Enforcement of America, Blue Wave Postcard Movement, Brave New Films, Brennan Center for Justice.

Campaign Legal Center, Center for American Progress, Center for Common Ground, Center for International Environmental Law, Center for International Policy, Center for Media and Democracy, Center for Progressive Reform, Citizens for Responsibility and Ethics in Washington, Clean Elections Texas, Coalition of Labor Union Women, AFL–CIO, Columbia Legal Services, Common Cause, Communications Workers of America, Community Research, Community Science Institute, Concerned Citizens for Nuclear Safety, Constitutional Alliance, Consumer Action, Corruption kills, Council for a Livable World, CovertAction Magazine.

Demand Progress, DemCast USA, Democracy 21, Democracy Fund Voice, Democracy Matters, Demos, Disaster Accountability Project, Eco-Justice Collaborative, End Citizens United//Let America Vote Action Fund, Equal Justice Society, Equal Rights Advocates, Essential Information, Faith in Public Life, Fix Democracy First, Fix the Court, Food & Water Watch, Franciscan Action Network, Free Speech Coalition, Inc., Free Speech For People.

Geos Institute, Global Integrity, Government Accountability Project, Government Information Watch, Green Delaware, Greenpeace USA, Hanford Challenge, Heart of America NW, Hip Hop Caucus, Human Environmental and Leadership Prevalent Center (HELP Center), Indivisible, Information Trust, Institute for Constitutional Advocacy and Protection, Georgetown Law, International Association of Whistleblowers, Iowa Citizens for Community Improvement, Iowa Institute for Public Accountability, Keep Our Republic, Kentucky Environmental Foundation, Kentucky Resources Council, Inc.

League of United Latin American Citizens (LULAC), League of Women Voters of the United States, Mainers for Accountable Leadership, Michiganders for Fair and Transparent Elections, Mid-Ohio Valley Climate Action, MoneyOutVA, Mormon Women for Ethical Government, MoveOn, Muslim American Law Enforcement Association (MALEA), National Center for Health Research, National Council for Occupational Safety and Health, National Education Association, National Employment Law Project, National Organization for Women, National Security Counselors, National Voter Corps, National Whistleblower Center/Whistleblower Network News, National Workrights Institute, Network for Environmental & Economic Responsibility of United Church of Christ, NETWORK Lobby for Catholic Social Justice.

New American Leaders Action Fund, New Moral Majority, Niskanen Center, No More Guantanamos, Northwest Immigrant Rights Project, Open The Government, Our Bodies Ourselves, Pax Christi USA, People For the American Way, People's Parity Project, PRESS4WORD2020, Professional Managers Association, Project Blueprint, Project On Government Oversight (POGO), Protect All Children's Environment, Protect Democracy, Public Citizen, Public Employees for Environmental Responsibility, Public Justice Center.

Republicans for the Rule of Law, Rock the Vote, RootsAction.org, S.T.O.P.—The Surveillance Technology Oversight Project, Secure Elections Network, Senior Executives Association, SIECUS: Sex Ed for Social Change, Sierra Club, SocioEnergetics Foundation, Sojourners, Stand Up America, Stand Up Republic, Strategies for Justice, BWMP LLC, Sustainable Energy & Economy Network, T'ruah: The Rabbinic Call for Human Rights, The Digital Democracy Project, The Ecotopian Society, The National Air Disaster Foundation, The National Vote, The Press Freedom Defense Fund of First Look Institute.

The Rutherford Institute, The Shalom Center, The Signals Network, The Workers Circle, Transparency International—U.S. Office, Truckers Justice Center, Tully Center for Free Speech, Un-PAC, Union of Concerned Scientists, Unitarian Universalists for Social Justice, UNITED SIKHS, Voices for Progress, Vote Vets, Washington Lawyers' Committee for Civil Rights and Urban Affairs, Washington Office on Latin America (WOLA), WESPAC Foundation, Inc., Whistleblowers of America, Win Without War, Women's Action for New Directions (WAND), Women's International League for Peace and Freedom US, Workplace Fairness, Worksafe, X-Lab.

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, I yield 1 minute to the gentleman from the great State of Illinois (Mr. DANNY K. DAVIS), the distinguished chair of the Committee on Ways and Means Subcommittee on Worker and Family Support.

Mr. DANNY K. DAVIS of Illinois. Madam Speaker, I thank the chair for yielding me time.

I rise in strong support of H.R. 5314, Protecting Our Democracy Act.

Democracy generates the notion and the idea that people will get and be engaged, involved, heard, and have their wishes met.

I agree with my colleague from Illinois when he said voters all over the country vote for us and they send us here. They vote for our colleagues in the Senate and send them there. We make laws. Then they expect those laws to be adhered to. No one is above them. No President.

And we are not obsessed with the former President, but we are obsessed with the idea and the hope that we will never have another administration like that one. And that is what this legislation is designed to do.

Madam Speaker, I urge support of this legislation.

Mr. COMER. Madam Speaker, I yield 2 minutes to the gentleman from Florida (Mr. DONALDS).

Mr. DONALDS. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, I rise today to express my firm opposition to the Protecting Our Democracy Act, otherwise known as PODA.

I don't have much time to get into a bunch of the provisions, but there are many troubling provisions that the American people should be fully aware of.

First, PODA empowers the GSA to provide highly sensitive information intended only for the President-elect to the nonvictor if the GSA administrator doesn't certify election results within 5 days. This would result in an explicit conflict of interest, and there is no reason for this political-based decision. It just simply doesn't make any sense, Madam Speaker.

Secondarily, PODA directly targets President Trump—and I know our colleagues on the other side of the aisle say it doesn't expressly go after President Trump, but it does—over his refusal not to disclose his tax records by requiring a Presidential candidate to submit their income tax returns for the prior 10 years within 15 days of their nomination.

Now, Madam Speaker, the whole purpose of looking at tax returns, quite frankly, is to see if you are in violation of tax law. There is a certain thing called a tax lien, and so if the IRS wants to yield a tax lien against an individual, that is clear proof to the American people that there is an issue with a nominee for the highest office in the land not abiding by tax law in the United States.

This is completely politically motivated, specifically against President Trump.

Last but not least, Madam Speaker, PODA massively expands FEC's jurisdiction, thereby continuing the Democrats' ongoing trend of heavy-handed Federal involvement and intrusion into State rights.

I have heard on this floor, being down here for a few minutes, about the desire for Congress to want to be able to have more leverage to hold the executive accountable. One thing Congress should be doing is stop actually yielding so much rulemaking and regulatory authority to the alphabet soup of agencies and Congress actually doing that work here, as opposed to creating a bill which is obviously targeted with one President in mind and trying to create a new rubric here in Congress.

Secondarily, and I think if we can look at some of the metrics associated with where the United States is right now versus where the United States was at the same time 4 years ago, it is without question what a successful administration looks like, one that actually always followed the law, was in constant standing with the law, as opposed to an administration who issues mandates that are unconstitutional that the Federal courts, as we speak, are undermining every single day.

This is a bad bill. I urge Members to vote ''no'' on this bill.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. COMER. Madam Speaker, I yield an additional 30 seconds to the gentleman from Florida.

Mr. DONALDS. Madam Speaker, if you want to hold the executive accountable, if we want to increase Congress' role in parity with the executive there are far more things that we should be doing instead of this bill. We should be voting ''no.''

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, I yield 1½ minutes to the gentleman from Virginia (Mr. CONNOLLY), the chair of the Subcommittee on Government Operations of the Committee on Oversight and Reform.

Mr. CONNOLLY. Madam Speaker, I thank my friend, the distinguished chairwoman of the Oversight and Reform Committee for yielding.

We just heard obfuscation on the floor of the House hoping that people watching will be distracted from the purpose of this bill, which is to counter the systematic voter suppression that is occurring in Republican-controlled States all over America.

Instead of enshrining the right to vote and enabling it, Republicans want to suppress it, they want to narrow it, they want to make it harder for you to vote. Because that is how they win elections, apparently.

This bill, the Protecting Our Democracy Act, led by Mr. SCHIFF would counter that, would enshrine and protect that sacred franchise, which is what America was founded to be.

I also want to highlight an amendment to the bill I provided. On October 21, President Trump signed Executive Order No. 13957 to undermine the merit system protection of our Federal workforce by requiring agency heads to reclassify policy-determining, policy-making, or policy-advocating positions.

At OMB, the Office of Management and Budget, this meant 80 percent of its workforce could suddenly be fired or eligible to be fired by the executive.

The Preventing a Patronage System Act preserves congressional prerogative by freezing that executive branch ability to unilaterally remove classes of Federal employees and restore the civil service as a nonpartisan entity.

I'm proud to support and cosponsor this bill. I urge its passage.

Mr. COMER. Madam Speaker, I yield myself such time as I may consume.

It is disappointing that my friend from Virginia would spew disinformation about what States are doing. Every State is making it easier to vote but harder to cheat, and he knows that.

Madam Speaker, I reserve the balance of my time.

□ 1315

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, I yield 1½ minutes to the gentlewoman from Texas (Ms. JACKSON LEE), the distinguished chair of the Committee on the Judiciary Subcommittee on Crime, Terrorism, and Homeland Security.

(Ms. JACKSON LEE asked and was given permission to revise and extend her remarks.)

Ms. JACKSON LEE. Madam Speaker, I thank the chairwoman for her leadership.

Madam Speaker, it is not about President Trump but it is about his behavior. But it is overall about the sanctity of democracy and the recognition that behaviors result in the final destination that challenges the very core of democracy. January 6, 2021, when Members duly sworn to take an oath to defend this Nation and to uphold the Constitution were cowering on the floor.

I stand with enormous support for the Protecting Our Democracy Act. Why? Because the Nation needs it and the world is watching. I stand to avoid the abuse of the pardon powers that existed clearly in the last administration. Need I give a long list of examples? Generals and best friends; or then enforcement of the foreign and domestic emolument clauses; the horrors of a hotel where many went to pay money into the coffers of a President of the United States or enforcement of Congressional subpoenas, the very authority that can protect democracy, reasserting Congressional power of the purse when dollars were manipulated and friends got a lot of dollars.

So I am believing that this is imperative, security from political interference injustice. I might think a noose hanging in the front to insist that Vice President Pence be arrested or hung might be an interference. I do want to acknowledge the amendment that I offered, very quickly.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, I yield an additional 30 seconds to the gentlewoman.

Ms. JACKSON LEE. The amendment indicates that violation by office-holders be treated as a violation of oath of office for purposes of ineligibility to hold public office under the 14th Amendment.

And so the collective actions, not a person, but if your actions suggest that you are violating democracy, you should not ever run again.

Madam Speaker, I look forward to this amendment becoming law, and I look forward to this bill becoming law because we must protect democracy. The Constitution says that we have been created to create a more perfect union. I insist that we create a more perfect union. Support this great legislation.

Mr. COMER. Madam Speaker, I reserve the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, I yield 1 minute to the gentleman from Illinois (Mr. QUIGLEY).

Mr. QUIGLEY. Madam Speaker, I thank the chairwoman for yielding.

The reforms in this bill have been needed for a long time. It is just that the previous administration only brought out those needs in sharp relief. This legislation will bolster accountability, ensure that elected officials use their offices to serve the American people, not for personal gain.

James Madison wrote, ''If angels were to govern men, neither external nor internal controls on government would be necessary.'' If we haven't noticed, we are down a few angels.

''You must first enable the government to control the governed,'' he wrote, ''and in the next place oblige it to control itself.'' How he knew.

Madam Speaker, this bill is not about looking back, it is about learning from our mistakes of the past to prevent future abuses of power. I urge support for this bill.

Mr. COMER. Madam Speaker, I reserve the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, I yield 1 minute to the gentlewoman from New Mexico (Ms. LEGER FERNANDEZ), the distinguished chair of the Committee on Natural Resources and Subcommittee on Indigenous Peoples of the United States.

Ms. LEGER FERNANDEZ. Madam Speaker, our democracy is precious and it must be protected. The last administration did test and attack it. We know we must take action against tyranny. Tyranny battered our doors on January 6, and on this floor today, we are going to fight back and strengthen our democracy. This act restores accountability, ensures no one—no one, not even, and more importantly, never the President—is above the law.

Foreign governments are interfering in our elections. The last President welcomed and clamored for interference in his bid for reelection. This bill in contrast protects whistleblowers, it roots out corruption, it prevents Presidential abuses of power to keep our system of checks and balances sound.

These principles are not partisan, they are simply American. There is nothing more American than voting for a bill to protect our democracy and the future of our Nation.

Madam Speaker, I stand and I ask all my colleagues to stand with our Constitution.

Mr. COMER. Madam Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. RODNEY DAVIS).

Mr. RODNEY DAVIS of Illinois. Madam Speaker, I thank my friend from Kentucky for yielding.

Madam Speaker, our most basic duty of the Federal Government should be protecting the right for our citizens to vote, but we are not doing everything we can to protect that. A disturbing trend across the country is that more and more States and localities are allowing noncitizens to vote. Furthermore, many States are conducting elections that rely on wildly outdated voter lists, many of which include these noncitizens.

In some States, such as California, the voter rolls are so outdated that they have more registered voters than people who reside in the State. This creates a potential for our citizens' votes to be diluted. LA County had over 1.5 million ineligible people on their voter rolls. A suit filed by a nonpartisan watch dog alleged that LA County had 112 percent of its adult citizens registered to vote.

Under pressure, California and LA County finally agreed to clean up their voter rolls in 2019. Unfortunately, when then-California Secretary of State ALEX PADILLA appeared before my committee in 2020, he could not confirm that many of those ineligible people had actually been removed from California's unmaintained voter rolls. I do not have a lot of faith that California is doing everything it can to protect the integrity of our elections.

And then there is New York City, which just decided to allow nearly a million noncitizens to vote in city elections. New York can make its own bad decisions, but it is our job to ensure that we protect Federal elections. Common sense will tell you that combining noncitizens and eligible American voters on the same voter rolls is ripe for abuse.

I will also use a final example from my home State of Illinois. In Illinois, noncitizens cannot vote, and if they do, they face major legal consequences and could be deported. But in 2016, Illinois' automatic voter registration program mistakenly registered to vote more than 500 noncitizens who had done the right thing by checking the box stating that they are not citizens on their driver's license application. However, several of these noncitizens voted in the 2018 and 2019 elections.

This does nothing to bolster voter confidence in our elections; in fact, it does the opposite.

Not only does this undermine the integrity of our elections, the mistake by Illinois could have had dire consequences for these individuals, and it could be prevented if States were being forced to maintain accurate voter rolls. Whether intentional or not, we know this is happening. It is undermining the integrity of our elections.

This amendment would simply ensure those who are noncitizens who do not have the right to vote in Federal elections are removed from States' voter rolls. As someone who has attended many citizenship ceremonies as a Member of Congress, it is unthinkable that we have States undermining what it means to be a citizen of this great country.

My office has helped many immigrants go through the legal process to become American citizens, and there is nothing better than seeing them raise their right hand and swear to support and defend our Constitution; to swear to bear arms in defense of this Nation; to swear allegiance to this great country.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. COMER. Madam Speaker, I yield an additional 30 seconds to the gentleman.

Mr. RODNEY DAVIS of Illinois. Madam Speaker, there is nothing better than to think that their vote, something they worked hard to get, the right to vote on something that they worked hard to get the right to do is being undermined. That is unthinkable.

Let's pass this amendment to ensure only citizens are voting in our elections and prevent States from putting noncitizens at risk of intentionally or unintentionally breaking the law and illegally voting in our elections.

We will offer this solution as a motion to recommit. If we adopt the motion to recommit, we will instruct the Committee on Oversight and Reform to consider an amendment to ensure States remove noncitizens from their voter rolls as part of a regular comprehensive list maintenance program.

Madam Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD immediately prior to the vote on the motion to recommit.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, I yield 1 minute to the gentleman from Rhode Island (Mr. CICILLINE), the distinguished chair of the Committee on the Judiciary, Subcommittee on Antitrust, Commercial and Administrative Law.

Mr. CICILLINE. Madam Speaker, the blatant and corrupt actions that we saw during the Trump administration demand that Congress take action to prevent any future President or administration officials from committing these same abuses of power.

Our laws have to be equipped to protect the Office of the Presidency and hold anyone privileged enough to hold that office accountable for their actions.

The Protecting Our Democracy Act will prevent Presidential abuse, restore our system of checks and balances, strengthen accountability, and protect our elections.

I am proud that this package includes one of my pieces of legislation, the White House Open Data Act, which will make White House visitor logs and salary information easily accessible and available to the public. The Presidency demands integrity and transparency. The Protecting Our Democracy Act gives us the tools to defend and protect our democracy; our most sacred responsibility.

Madam Speaker, I thank Chairman SCHIFF for his leadership, and I thank Chairwoman MALONEY. Let's all stand up today, vote for democracy, protect the right to vote so that the world, when they watch this, knows that America remains committed and renews today its commitment to a great democracy.

Mr. COMER. Madam Speaker, may I inquire how much time is remaining?

The SPEAKER pro tempore. The gentleman from Kentucky has 9½ minutes remaining.

Mr. COMER. Madam Speaker, I yield 1 minute to the gentleman from North Carolina (Mr. BISHOP).

Mr. BISHOP of North Carolina. Madam Speaker, I thank the gentleman from Kentucky for yielding.

I was just sitting on the floor and it occurred to me, as I listened to the debate, that the point just has to be made that the majority is so obsessed with Donald Trump that they will run roughshod over the Constitution to continue to try to persecute him.

Do they not see that they twice-impeached him and the court of impeachment twice acquitted him?

Do they defer to the decision of our constitutional process in terms of what was just characterized that the President did? Or do they stubbornly override that and continue to pursue him endlessly, despite what our processes and constitutional provisions require and provide for?

What about the provision requiring Presidents, who the Constitution specifies the qualifications for office, that they be required to submit private tax returns in order to pursue that office? Perhaps, if you'd like it, if it is a tradition to do so, for you to impose it by law means you disregard the Constitution of the United States.

To what end will you go? To what end will you go to prevail?

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, I yield 1 minute to the gentlewoman from Pennsylvania (Ms. DEAN).

Ms. DEAN. Madam Speaker, I thank the chairwoman for yielding.

Madam Speaker, speaking of running roughshod, no President—Republican or Democrat—is above the law, but some have tried to be. The previous President and his sad followers ignored subpoenas, punished whistleblowers, and invited foreign interference in our elections. Congress—Republicans and Democrats—must act to protect our democracy from any future reckless Presidents, which is why the Protecting Our Democracy Act is crucial. This bill will strengthen our institutions against future Presidents who seek to abuse their power.

January 6 showed us that Presidential abuse can find its way to a joint session of Congress in a deadly way—140 police officers injured; several police officers dead; desecration; trauma. That is why the work of the Select Committee to Investigate the January 6th Attack on the United States Capitol is so critical. Their subpoenas cannot be ignored.

My Congressional Subpoena Compliance and Enforcement Act, which is included in this bill, will standardize and streamline the process so that no one can ignore a subpoena with impunity.

The previous President's abuses reveal the dangerous fault line.

□ 1330

Mr. COMER. Madam Speaker, I reserve the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, I yield 1 minute to the gentlewoman from California (Ms. PORTER), the distinguished chair of the Committee on Natural Resources Subcommittee on Oversight and Investigation.

Ms. PORTER. Madam Speaker, I introduced the Stop Foreign Interference in Ballot Measures Act to ban foreign contributions to State and local ballot initiatives and referenda. I am proud that my bill is part of the Protecting Our Democracy Act.

Foreign interference in our politics ranges from social media disinformation paid for by our adversaries to dictators bankrolling lobbying on Capitol Hill. Current law permits billions of dollars of foreign influence in ballot initiatives. Last year, over $750 million was spent in California alone.

We prohibit foreign contributions to candidates because it protects our national security. That same rationale should apply to foreign contributions to ballot initiatives and referenda. That is why we must pass my bill.

Money and politics distort the will of the American people. It advantages special interests and limits the power of regular Americans. When that money is supplied by foreign countries and adversaries, it puts our democracy and our national security at risk.

Mr. COMER. Madam Speaker, I reserve the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, I yield 1 minute to the gentlewoman from North Carolina (Ms. ROSS), the distinguished vice chair of the Committee on the Judiciary Subcommittee on the Constitution, Civil Rights, and Civil Liberties.

Ms. ROSS. Madam Speaker, I rise today as a proud cosponsor of the Protecting Our Democracy Act, which ensures that our government remains of, by, and for the people.

I also rise in support of my amendment, which would establish a task force within the Department of Justice to investigate and prosecute, in collaboration with State and local governments, threats to election officials.

Poll workers in my home State of North Carolina and their families have been subjected to harassment, violent threats, and intimidation, all exacerbated by baseless conspiracies like stop the steal.

We suffered critical shortages of poll workers during the 2020 elections, and over one-quarter of counties in North Carolina had understaffed polling sites. Threats to election officials are threats to our democracy and must be stopped.

Madam Speaker, I urge my colleagues to support poll workers, the democratic process, my amendment, and the bill.

Mr. COMER. Madam Speaker, I reserve the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, I yield 1 minute to the gentlewoman from California (Ms. ESHOO), the distinguished chair of the Committee on Energy and Commerce Subcommittee on Health.

Ms. ESHOO. Madam Speaker, I thank Congresswoman MALONEY for her special leadership. I am so proud of my classmate.

Madam Speaker, as we gather here on the floor, it really is a somber day here at the Capitol with the remains of the former majority leader of the Senate, Senator Robert Dole. He was a man who fought for our democracy, paid for it in terms of the injuries that he sustained during the war, and came to Congress to defend our democracy.

That is what we are doing here on the floor of the House. We are working to protect our democracy. I am proud that my legislation is included in this. Let me say a few words about it.

Since Watergate, Presidential candidates and Vice Presidential candidates voluntarily put their tax returns out to the public. In 2016, there were two that were running, one on each side, that did not do that. I observed it. I was upset about it. I wrote legislation on it.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, I yield such time as she may consume to the gentlewoman from California.

Ms. ESHOO. Madam Speaker, what this legislation does is make it a requirement for those who seek the Presidency and the Vice Presidency to put out to the public their tax returns. Why? Tax returns contain vital information: whether a candidate has paid any taxes, what assets they own, how much they have borrowed, who they borrowed it from, have they taken advantage of tax loopholes of offshore tax shelters, whether they have foreign bank accounts, and if they have made charitable contributions.

Truth and transparency need to be a part of the democratic process. I am very proud and grateful that my legislation is contained in a bill that overall is called the Protecting Our Democracy Act.

Madam Speaker, all colleagues should vote for this because we raised our hands and pledged to protect our democracy and defend it against all enemies, foreign and domestic.

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, I thank my colleague. We came to Congress together, and I thank her for her outstanding leadership in this body and her beautiful statement today.

Madam Speaker, may I inquire how much time remains.

The SPEAKER pro tempore. The gentlewoman has 3¼ minutes remaining.

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, I have no further speakers. I am prepared to close, and I reserve the balance of my time.

Mr. COMER. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, wow, I heard Donald Trump's name mentioned at least a dozen times by my colleagues across the aisle. I am sincerely glad that the Democrats spent so much time investigating the President for wrongdoing. I am glad that they issued subpoenas investigating the President for wrongdoing. I am very happy that, in all the investigations conducted by the Intelligence Committee and Oversight and Reform Committee, they did not find one ounce of wrongdoing committed by President Trump.

I am also happy that they investigated President Trump's children. I think that is fair game. I can promise the American people that very soon there will be that type of oversight for the Biden administration and the President's son, Hunter, who is in the news almost on a daily basis for things that just don't add up. They just don't look good. That oversight is coming. The American people can count on that.

Madam Speaker, after nearly a year in power, it is time for Democrats to actually start governing and abandon their obsession with Donald Trump.

H.R. 5314 is full of bad policy that diminishes the power of the executive branch and entrenches Washington bureaucrats making law based on false conspiracy theories of the bill's sponsor.

The bill has not proceeded through regular order and is a Frankenstein's monster stitched together from various committees' jurisdictions, while other whole portions have never undergone committee review at all.

There has been no attempt to seriously vet these substantial changes,

minimal cooperation with the minority, and no apparent path for the bill in the Senate.

In other words, Madam Speaker, H.R. 5314 is a messaging bill to bolster the fundraising efforts of Democrat Members in preparation for the 2022 midterms. The Democratic Party should try governing instead.

Madam Speaker, I urge my colleagues to oppose this bill and oppose this reckless legislation. I yield back the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, I would like to point out to my very good friend and colleague, Mr. COMER, that President Trump is no longer President. This bill is not about President Trump. If anyone, it is about President Biden and our future Presidents and having more oversight, accountability, and transparency.

Now, addressed in this bill are past abuses that have occurred. This is not about the past; it is about the future. It is about the future of our democracy and the strength of our democracy.

Democrats are not standing alone. The reforms in this bill have broad support from over 150 outstanding groups, including the Brennan Center for Justice, the Project On Government Oversight, and many others. I have included that list in the RECORD.

Madam Speaker, the Protecting Our Democracy Act is a historic package of prodemocracy reforms to create or strengthen guardrails and prevent the abuse of executive power. Many of the provisions in our bill have broad bipartisan support and have literally been authored by Republicans.

You yourself at the Rules Committee said that the President should release his taxes. You said that.

These are issues that both sides of the aisle should be supporting. It is time for Congress to restore our authorities as a coequal branch of power.

Madam Speaker, this is about the future, the strengthening of our democracy, and I urge strong support from all of my colleagues. I urge my colleagues on the other side of the aisle to join us in strengthening democracy and urge them to vote with Republicans for this very important reform bill.

Madam Speaker, I yield back the balance of my time.

Mr. PASCRELL. Madam Speaker, our government is not a piggy bank to be pilfered and pillaged by public servants. Trump appointees abused their public office to line their pockets and corruptly retain power. The crime spree by Trump and his stooges is the worst corruption ever in our government.

According to a recent Office of Special Counsel report, they made a mockery of the law. They exploited Hatch Act gaps or ignored it altogether.

My amendment in the en bloc is based on the Political CRIMES Act. I thank Congressmam MIKE QUIGLEY and Senator ELIZABETH WARREN for their leadership. The amendment enhances the underlying provisions and gives the Hatch Act sharper teeth.

The amendment ensures political appointees cannot get away with crimes. It requires disclosure of investigations. It cracks down on subpoena evaders. It allows the Special Counsel to continue investigations after government service concludes. Offenders like Kellyanne Conway and Stephen Miller, and those masquerading as public servants like Ivanka Trump and Jared Kushner, violated the Hatch Act without major consequence. No longer.

The amendment also expands the fines for violations. For the first time, repeat violators can be held criminally liable. This is real accountability.

Most important, it extends the law to the President and Vice President when conducting official duties on federal property.

You fix a leaky roof in the sun. Not in a storm. With dark clouds ahead, we must protect our democracy.

I am glad my amendment was included, and for the Presidential tax return transparency provisions in the bill. Trump and his enablers refused to follow the law. For 981 days—longer than the siege of Leningrad—our tax return request was illegally blocked by a tag-team of the Trump Department of Justice and a Trump-appointed judge.

Now that the Biden administration will comply with the law, the returns should be sent to Congress.

I urge passage of my amendment and passage of the underlying bill.

Mr. THOMPSON of Mississippi. Madam Speaker, I rise in support of H.R. 5314, the ''Protecting Our Democracy Act,'' spearheaded by my friend and colleague on the Select Committee to Investigate the January 6th Attack on the United States Capitol, Adam Schiff.

This bill bolsters congressional oversight authority and the important powers vested in Congress by Article I of the Constitution. It also includes a host of other good-government measures to make our entire government more ethical and more accountable to the people we serve.

As chairman of both the Committee on Homeland Security and the Select Committee to Investigate the January 6th Attack on the United States Capitol, I know firsthand how important congressional oversight is to our legislative process. And I have seen how dedicated the forces aligned against representative democracy are.

Protecting our democracy is protecting our homeland, and protecting our homeland means protecting our democracy.

I am particularly supportive of title IV of this bill, which amends the United States Code to reaffirm the House's right to enforce its subpoenas through civil suits in Federal court. The title would also expedite consideration of those suits in the courts and enhance penalties for noncompliance with congressional subpoenas.

While I firmly believe the House already possesses the ability to seek civil enforcement of its subpoenas, some recent court decisions have questioned it. This bill leaves no room for such doubt.

Almost a century ago, the U.S. Supreme Court said that Congress needs information to govern wisely and effectively, and it must often seek out others—often by compulsion—to obtain it. To effectively exercise our legislative duties, the Constitution implicitly grants enforcing processes.

Madam Speaker, this bill furthers our ability as legislators to do our job wisely and effectively. I encourage my colleagues to join me in voting for the ''Protecting Our Democracy Act.''

Ms. JACKSON LEE. Madam Speaker, thank you for this opportunity to discuss briefly the Jackson Lee Amendment No. 17 to Rules Committee Print 117–20, the Protecting Our Democracy Act (H.R. 5314), introduced by Congressman SCHIFF of California, the Chair of the House Permanent Select Committee on Intelligence.

This Jackson Lee amendment improves the bill and strengthens an important guardrail in the pillars upholding and protecting our democracy by providing that any person who, having previously taken an oath as an officer of the United States, as a member of a State legislature, or as an executive or judicial officer of any State, is finally convicted of violating laws prohibiting foreign interference in American elections, specifically section 304(j) of the Federal Election Campaign.

The Protecting Our Democracy Act is a sweeping package of reforms to prevent presidential abuses and to restore the Constitutional system of checks and balances.

Madam Speaker, the actions of the past Administration revealed serious vulnerabilities in our democratic systems—vulnerabilities that can and will be exploited again if we do not act urgently to address them.

The Protecting Our Democracy Act will take immediate steps to safeguard and strengthen our democracy so no future president—regardless of political party—can act as if they are above the law.

And it will restore the accountability and transparency of our institutions so that the American people can have confidence in our government's ability to address the challenges we face.

Let me briefly highlight some of the important provisions of this vitally important legislation that should be enthusiastically supported by all Members.

TITLE I—ABUSE OF THE PARDON POWER PREVENTION

The Abuse of the Pardon Prevention Act is designed to deter abuses of the pardon power, first, by requiring transparency in circumstances where the President uses that power for potentially self-serving purposes or in a manner that could undermine the functions of Congress.

And second, by amending the federal bribery statute to make explicit that offering or granting a pardon or commutation may serve as the basis for finding criminal culpability under the statute.

Finally, the Abuse of the Pardon Prevention Act makes explicit that a president may not issue a self-pardon.

TITLE II—ENSURING NO PRESIDENT IS ABOVE THE LAW

The No President is Above the Law Act would suspend the statute of limitations for any federal offense committed by a sitting president or vice president, whether it was committed before or during their terms in office and thus ensure that presidents and vice presidents can be held accountable for criminal conduct just like every other American and not use their offices as a shield to avoid legal consequences.

TITLE III—ENFORCEMENT EMOLUMENTS CLAUSES OF THE FOREIGN AND DOMESTIC EMOLUMENTS CLAUSES

Madam Speaker, the Foreign Emoluments Clause of the Constitution prohibits federal officers from receiving ''presents'' or ''emoluments'' from foreign nations unless Congress first provides its consent, while the Domestic Emoluments Clause bars the President from receiving any emoluments from the United States government or from any state government.

The Foreign and Domestic Emoluments Enforcement Act codifies these foundational anti-corruption provisions and provides enhanced enforcement mechanisms for Congress and for entities within the Executive Branch.

TITLE IV—ENFORCEMENT OF CONGRESSIONAL SUBPOENAS

The Congressional Subpoena Compliance and Enforcement Act reinforces Congress's Article I powers by strengthening its tools to enforce lawfully issued subpoenas.

First, the bill affirms the House's and Senate's authority to enforce their subpoenas through civil suits and provides expedited processes for these actions, as well as enhanced penalties for noncompliance.

Second, it specifies the manner in which subpoena recipients must comply, including by creating an express requirement to testify and produce subpoenaed information and, to the extent any information is withheld, to produce a detailed log describing the basis for noncompliance.

TITLE V—REASSERTING CONGRESSIONAL POWER OF THE PURSE

Madam Speaker, in drafting the Constitution, the Framers built checks and balances into the foundation of our democracy to protect against monarchy.

Vesting Congress with the power to make funding decisions—the ''power of the purse''—is a critical component of that founding principle.

Congress has crafted longstanding, foundational laws to protect its authority like the Antideficiency Act (ADA) and the Impoundment Control Act (ICA) to prevent federal agencies from misusing federal funds.

But over time, Presidents and Executive Branch agencies have pushed the boundaries of these and other laws designed to prevent executive overreach, exploiting secrecy and limitations on enforcement to push their own agenda.

That is why as a member of the Budget Committee, I am very pleased that the reforms embodied in the Congressional Power of the Purse Act are incorporated in the legislation before us and will help Congress reclaim its Constitutional spending authority and safeguard our nation's separation of powers.

Specifically, the Act would restore Congress' central role in funding decisions by preventing the President from effectively rescinding funds without congressional approval; requiring the Office of Management and Budget (0MB) to release funding at least 90 days before it expires, whether or not the funding is part of a Presidential rescission or deferral request; and closing a budget law loophole that essentially lets the President unilaterally block the spending of enacted appropriations designated as emergency.

The Act would put an expiration date on Presidential declarations of national emergencies and any special executive authorities triggered by those declarations; declarations would expire unless Congress extends them.

The Act would increase transparency in the Executive Branch by requiring OMB to make apportionments (legally binding documents that make funding available to agencies to spend) publicly available and to publish the positions of officials with delegated apportionment authority; requiring the DOJ Office of Legal Counsel (OLC) to publish opinions instructing agencies on budget and appropriations law; requiring the Executive Branch to make public amounts and explanations of cancelled or expired fund balances, and amounts and legal justifications of obligations incurred by agencies during a lapse in their appropriations; and requiring the Executive Branch to report violations of the ICA and ADA identified by the Government Accountability Office (GAO) to Congress.

The Act would also add enforcement mechanisms to budget law and deter lawbreaking by strengthening and expediting GAO's ability to obtain information from agencies to assess compliance with budget or appropriations law; expediting GAO's ability to sue agencies to release funds being impounded in violation of the ICA; authorizing administrative discipline for officials found to have violated the ICA, including suspension without pay or termination of employment; and requiring the DOJ to review reports of ADA violations and investigate whether a violation occurred knowingly and willfully.

TITLE VI—SECURITY FROM POLITICAL INTERFERENCE IN JUSTICE

Since Watergate, every Administration has issued guidance limiting contact between the White House and DOJ in order to limit political interference in criminal and civil enforcement matters.

Unfortunately, in recent years we have seen numerous instances where that norm was ignored.

The Security from Political Interference in Justice Act seeks to help ensure that these norms are followed in the future, by requiring that the Attorney General (AG) maintain a log of certain designated contacts between the White House and DOJ that is to be shared with the DOJ Inspector General (IG) on a semi-annual basis, with an additional requirement that the IG share any inappropriate or improper contacts with the House and Senate Judiciary Committees.

TITLE VII—PROTECTING INSPECTOR GENERAL INDEPENDENCE

The Inspector General Independence Act would protect Inspectors General (IGs) from being removed by the President based on political retaliation.

President Trump removed or replaced numerous IGs in what appeared to be retaliation for investigating misconduct of his own Administration.

The Inspector General Independence Act would only allow an IG to be removed for a limited number of causes and would require that the President, before removing the IG, provide Congress with documentation of the cause.

TITLE VIII—PROTECTING WHISTLEBLOWERS

The Whistleblower Protection Improvement Act would strengthen the law to ensure that federal employees who blow the whistle on waste, fraud, and abuse are protected from retaliation.

The Whistleblower Protection Improvement Act would clarify that no federal official may interfere with a federal employee's ability to share information with Congress.

This measure would also limit disclosure of a whistleblower's identity, prohibit retaliatory investigations, expand whistleblower protections to all noncareer appointees in the Senior Executive Service, and provide access to jury trials for whistleblowers.

TITLE XII—PRESIDENTIAL AND VICE PRESIDENTIAL TAX TRANSPARENCY

Title XII requires sitting presidents and vice presidents and major party candidates for the presidency and vice-presidency to publicly disclose their 10 most recent federal income tax returns.

TITLE XIII—FOREIGN INTERFERENCE IN ELECTIONS

Title XIII of the Act requires political campaigns, parties, and political committees like political action committees (PACs) and Super PACs to report attempts by foreign governments, foreign political parties, and their agents to influence our elections to the Federal Election Commission (FEC) and Federal Bureau of Investigation (FBI).

It requires the FBI to report on these notifications annually to the congressional intelligence committees.

It also requires campaigns to establish compliance mechanisms.

It ensures violations of these foreign contact reporting requirements can incur criminal or civil liability.

Title XIV of the Act works to eliminate foreign interference in U.S. elections by making clear that the Federal Election Campaign Act prohibits the acceptance of opposition research, polling, and other non-public information relating to a candidate for federal, state, or local office by foreign governments and political parties for the purpose of influencing an election.

It provides for enhanced criminal penalties for violations of this prohibition.

It ensures that members and employees of political campaigns will be on notice of this prohibition by requiring the FEC to provide a written explanation of the prohibition to political campaigns, and for campaigns to certify their receipt and understanding of the explanation.

Last, the legislation extends the ban on foreign national contributions to federal, state, and local elections to include ballot initiatives and referendums.

Madam Speaker, I believe this excellent legislation would be even stronger had Jackson Lee Amendment No. 17 been made in order.

This Jackson Lee amendment would improve the bill and strengthen an important guardrail in the pillars upholding and protecting our democracy by providing that any person who, having previously taken an oath as an officer of the United States, as a member of a State legislature, or as an executive or judicial officer of any State, is finally convicted of violating laws prohibiting foreign interference in American elections, specifically section 304(j) of the Federal Election Campaign Act of 1971 (as added by section 1301(a)), section 304(b)(9) of such Act (as added by section 1301(b)), or section 302(j) of such Act (as added by section 1302), shall be deemed to have given aid and comfort to the enemies of the United States for purposes of ineligibility to hold public office under section of the Fourteenth Amendment to the Constitution of the United States.

This concern is particularly salient when there is clear, convincing, and overwhelming evidence of interference by a hostile foreign

power to secure victory for its preferred candidate.

Madam Speaker, there is compelling reason for the Congress to pass the Protecting Our Democracy Act by overwhelming margins in the House and Senate to send a clear message to the world that unlike the immediately previous Administration, the current President and his Administration is determined and resolute in taking effective action to deter and prevent interference by foreign powers in American elections.

Let us remember that the Intelligence Community Assessment (''ICA'') of January 2017 assessed that Russian President Vladimir Putin ordered an influence campaign in 2016 aimed at the US presidential election in which Russia's goals were to undermine public faith in the US democratic process, denigrate Democratic presidential candidate and implacable foe of Vladimir Putin, former Secretary of State Hillary Clinton, facilitate the election of Vladimir Putin's preferred candidate, Donald J. Trump.

Russia's interference in the election processes of democratic countries was not new but a continuation of the ''Translator Project,'' an ongoing information warfare effort launched by Vladimir Putin in 2014 to use social media to manipulate public opinion and voters in western democracies.

But instead of supporting the unanimous assessment of the U.S. Intelligence Community, the 45th President attacked and sought to discredit and undermine the agencies and officials responsible for detecting and assessing Russian interference in the 2016 presidential election as well as those responsible for investigating and bringing to justice the conspirators who committed crimes against the United States our law enforcement.

And to add shame to insult and injury, at a meeting in Helsinki, Finland, rather than embracing the conclusions of the U.S. Intelligence Community, the 45th President of the United States sided with Russian President Vladimir Putin in heaping scorn on the IC's assessment regarding Russian interference and called the U.S. Justice Department investigation into Russia's interference led by Special Counsel Robert Mueller ''the greatest political witch hunt in history.''

As the Mueller Report concluded, ''The Russian government interfered in the 2016 presidential election in sweeping and systematic fashion.''

In his only public remarks made since he was appointed at his farewell press conference held at the Department of Justice on May 29, 2017, Special Counsel, Robert Mueller reiterated the ''central allegation of our indictments—that there were multiple, systematic efforts to interfere in our election'' and that ''allegation deserves the attention of every American.''

Madam Speaker, American elections are to be decided by American voters free from foreign interference or sabotage, and that is why any person who having previously taken an oath to preserve and protect the Constitution of the United States, knowingly and willingly acts to aid, abet, or facilitate foreign interference in an American election can, should, and must be deemed to have given aid and comfort to the enemies of the United States for purposes of ineligibility to hold public office under section 3 of the Fourteenth Amendment to the Constitution of the United States.

I urge all members to join me in voting to pass H.R. 5314, the Protecting Our Democracy Act.

Thank you.

The SPEAKER pro tempore. All time for debate has expired.

Each further amendment printed in part B of House Report 117–205 not earlier considered as part of the amendments en bloc pursuant to section 3 of House Resolution 838, shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before the question is put thereon, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

It shall be in order at any time after debate for the chair of the Committee on Oversight and Reform or her designee to offer amendments en bloc consisting of further amendments printed in part B of House Report 117–205, not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Reform or their respective designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENTS EN BLOC NO. 1 OFFERED BY MRS. CAROLYN B. MALONEY OF NEW YORK

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, pursuant to House Resolution 838, I offer amendments en bloc.

The SPEAKER pro tempore. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 1 consisting of amendment Nos. 1, 2, 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 27, 28, 29, 30, 31, 32, 33, and 34, printed in part B of House Report 117–205, offered by Mrs. CAROLYN B. MALONEY of New York:

AMENDMENT NO. 1 OFFERED BY MS. ADAMS OF NORTH CAROLINA

Page 155, strike lines 10 through 19, and insert the following:

(4) TREATMENT AS A REPORT FILED UNDER THE FEDERAL ELECTION CAMPAIGN ACT OF 1971.—Section 304(a)(11) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30104(a)(11)) is amended by adding at the end the following:

''(E) An income tax return filed under the Protecting Our Democracy Act of 2021 shall be filed in electronic form accessible by computers and shall be treated as a report filed under and required by this Act for purposes of subparagraphs (B) and (C), except that if it would require considerable, extensive, and significant time for the Commission to make redactions to such a return, as required under section 1201(b)(3) of the Protecting Our Democracy Act of 2021 or subparagraph (B)(ii) of section 6103(l)(23) of the Internal Revenue Code of 1986, the Commission may make the return available for public inspection more than 48 hours after receipt by the Commission, but in no event later than 30 days after receipt by the Commission.''.

AMENDMENT NO. 2 OFFERED BY MR. AGUILAR OF CALIFORNIA

Page 175, insert after line 18 the following (and redesignate the succeeding provisions accordingly):

DIVISION D—PROTECTING ELECTION OFFICIALS

TITLE XV—PROTECTING ELECTION OFFICIALS FROM DISCLOSURE OF PERSONALLY IDENTIFIABLE INFORMATION

SEC. 1501. SHORT TITLE.

This title may be cited as the ''Election Officials Protection Act''.

SEC. 1502. REQUIRING STATES TO MAINTAIN LIST OF ELECTION OFFICIALS PROTECTED FROM DISCLOSURE OF PERSONALLY IDENTIFIABLE INFORMATION.

(a) REQUIREMENT.—Title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.) is amended by inserting after section 303 the following new section:

''SEC. 303A. MAINTENANCE OF LIST OF ELECTION OFFICIALS PROTECTED FROM DISCLOSURE OF PERSONALLY IDENTIFIABLE INFORMATION.

''(a) IN GENERAL.—The office of the chief State election official of a State shall establish a program under which the office shall maintain a list of election officials whose personally identifiable information is protected from disclosure and kept confidential under the Election Officials Protection Act.

''(b) ELIGIBILITY FOR PARTICIPATION IN PROGRAM.—

''(1) CONTENTS OF APPLICATION.—An election official is eligible to be a program participant in the program established under this section if the official submits to the office of the chief State election official an application, at such time and in such form as the official may require, which contains the following information and assurances:

''(A) Documentation showing that the applicant is to commence service as an election official in the State or is currently serving as an election official in the State.

''(B) A sworn statement that the applicant fears for his or her safety or the safety of his or her family, or the safety of the minor or incapacitated person on whose behalf the application is made, due to his or her service as an election official.

''(C) Any police, court, or other government agency records or files that show any complaints of alleged threats or acts of violence against the applicant.

''(D) The signature of the applicant and of any individual or representative of any office designated in writing who assisted in the preparation of the application, and the date on which the applicant signed the application.

''(E) Such other information and assurances as the chief State election official may require.

''(2) PERIOD OF PARTICIPATION.—Upon filing a properly completed application under this subsection, the chief State election official shall certify the applicant as a program participant for a period of 4 years following the date of filing, unless the applicant's participation in the program is terminated before that date as provided under subsection (d).

''(c) ADDITIONAL NOTICE TO PROGRAM PARTICIPANTS.—The office of the chief State election official shall provide each program participant a notice in clear and conspicuous font that contains all of the following information:

''(1) The program participant may create a revocable living trust and place his or her real property into the trust to protect his or her residential street address from disclosure in real property transactions.

''(2) The program participant may obtain a change of his or her legal name to protect his or her anonymity.

''(3) A list of contact information for entities that the program participant may contact to receive information on, or receive legal services for, the creation of a trust to hold real property or obtaining a name change, including county bar associations, legal aid societies, State and local agencies, or other nonprofit organizations that may be able to assist program participants.

''(d) TERMINATION OF PARTICIPATION.—

''(1) GROUNDS FOR TERMINATION.—The chief State election official may terminate a program participant's participation in the program for any of the following reasons:

''(A) The program participant submits to the chief State election official written notification of withdrawal, in which case the participation shall be terminated on the date of receipt of the notification.

''(B) The program participant's certification term has expired and the participant did not complete an application for renewal of the certification.

''(C) The chief State election official determines that false information was used in the application process to qualify as a program participant or that participation in the program is being used as a subterfuge to avoid detection of illegal or criminal activity or apprehension by law enforcement.

''(D) The program participant fails to disclose a change in the participant's status as an election official.

''(2) APPEAL.—Except in the case of a termination on the grounds described in subparagraph (A) of paragraph (1), the chief State election official shall send written notification of the intended termination to the program participant. The program participant shall have 30 business days in which to appeal the termination under procedures developed by the chief State election official.

''(3) NOTIFICATION OF LOCAL OFFICES.—The chief State election official shall notify in writing the appropriate local election officials, county clerks, and local recording offices of the program participant's termination of participation in the program. Upon receipt of this termination notification, such officials, clerks, and offices—

''(A) shall transmit to the chief State election official all appropriate administrative records pertaining to the program participant; and

''(B) shall no longer be responsible for maintaining the confidentiality of the program participant's record.

''(4) TREATMENT OF RECORDS.—

''(A) CONFIDENTIALITY.—Upon termination of a program participant's certification, the chief State election official shall retain records as follows:

''(i) Except as provided in subparagraph (B), any records or documents pertaining to a program participant shall be held confidential.

''(ii) All records or documents pertaining to a program participant shall be retained for a period of three years after termination of certification and then destroyed without further notice.

''(B) EXCEPTION FOR TERMINATION BASED ON FALSE INFORMATION OR SUBTERFUGE.—In the case of a termination on the grounds described in subparagraph (C) of paragraph (1), the chief State election official may disclose information contained in the participant's application.

''(e) DEFINITIONS.—

''(1) ELECTION OFFICIAL.—In this section, an 'election official' with respect to a State is any individual, including a volunteer, who is authorized by the State to carry out duties relating to the administration of elections for Federal office held in the State.

''(2) MEMBER OF THE IMMEDIATE FAMILY.—In this section, the term 'member of the immediate family' means, with respect to an individual, a spouse, domestic partner, child, stepchild, parent, or any blood relative of an individual who lives in the same residence as the individual.

''(3) PERSONALLY IDENTIFIABLE INFORMATION.—The term 'personally identifiable information' means, with respect to any individual—

''(A) a home address, including a primary residence or vacation home address;

''(B) a home, personal mobile, or direct telephone line to a private office or residence;

''(C) a personal email address;

''(D) a social security number, driver's license number, or voter registration information that includes a home address;

''(E) a bank account or credit or debit card information;

''(F) property tax records or any property ownership records, including a secondary residence and any investment property at which the individual resides for part of a year;

''(G) birth and marriage records;

''(H) vehicle registration information;

''(I) the identification of children of the individual under the age of 18;

''(J) the date of birth;

''(K) directions to a home of the individual or a member of the immediate family of the individual;

''(L) a photograph of any vehicle including the license plate or of a home including an address of the individual or member of the immediate family of the individual;

''(M) the name and location of a school or day care facility attended by a child of the individual or by a child of a member of the immediate family of the individual; or

''(N) the name and location of an employer of the individual or a member of the immediate family of the individual.''.

(b) CONFORMING AMENDMENT RELATING TO ENFORCEMENT.—Section 401 of such Act (52 U.S.C. 21111) is amended by striking ''and 303'' and inserting ''303, and 303A''.

(c) CLERICAL AMENDMENT.—The table of contents of such Act is amended by inserting after the item relating to section 303 the following:

''Sec. 303A. Maintenance of list of election officials protected from disclosure of personally identifiable information.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect September 1, 2022.

SEC. 1503. PROHIBITING PERSONS FROM MAKING INFORMATION ON PROGRAM PARTICIPANTS AVAILABLE.

(a) REQUIREMENTS FOR PERSONS RECEIVING REQUESTS FROM PROGRAM PARTICIPANTS.—If any person, including a business or association and a local government or other public entity, receives a written request from an individual who is a program participant under the program established by a State under section 303A of the Help America Vote Act of 2002 (hereafter referred to as a ''program participant'') or the agent of a program participant to not disclose the participant's personally identifiable information—

(1) such person may not knowingly post or publicly display the participant's personally identifiable information on the Internet, including on any website or subsidiary website controlled by such person;

(2) such person may not knowingly transfer for consideration the participant's personally identifiable information to any other person, including a business or association, through any medium;

(3) if the participant or the agent of the participant includes information in the written request to indicate that the disclosure of the participant's personally identifiable information would cause or threaten to cause imminent great bodily harm to the participant or a member of the immediate family of the participant, such person may not knowingly transfer without consideration the participant's personally identifiable information to any other person, including a business or association, through any medium; and

(4) if, prior to receiving the request, such person publicly displayed the participant's personally identifiable information on the Internet on any website or subsidiary website controlled by such person, such person shall remove the information from such websites not later than 72 hours after receiving the request.

(b) ENFORCEMENT.—

(1) ACTION FOR INJUNCTIVE OR DECLARATORY RELIEF.—A program participant who is aggrieved by a violation of subsection (a) or subsection (b) may bring an action seeking injunctive or declaratory relief in any court of competent jurisdiction. If the court grants injunctive or declaratory relief, the person responsible for the violation shall be required to pay the participant's costs and reasonable attorney's fees.

(2) ACTION FOR DAMAGES.—

(A) IN GENERAL.—A program participant who is aggrieved by a violation of subsection (a) or subsection (b) may bring an action for damages in any court of competent jurisdiction.

(B) DAMAGES.—A prevailing plaintiff in an action described in subparagraph (A) shall, for each violation, be awarded damages in an amount determined by the court, except that such amount—

(i) may not exceed 3 times the actual damages to the plaintiff; and

(ii) may not be less than $10,000.

(c) DEFINITIONS.—In this section, the terms ''member of the immediate family'' and ''personally identifiable information'' have the meaning given such terms in section 303A of the Help America Vote Act of 2002.

(d) SEVERABILITY.—If any provision of this section, or the application of a provision of this section to any person or circumstance, is held to be unconstitutional, the remainder of this section, and the application of the provisions of this section to any person or circumstance, shall not be affected by the holding.

AMENDMENT NO. 4 OFFERED BY MR. CICILLINE OF RHODE ISLAND

Add at the end of part 1 of subtitle B of division B the following new section:

SEC. 516. WHITE HOUSE EMPLOYEE INFORMATION.

Not later than 90 days after the date of the enactment of this Act and updated not less frequently than annually thereafter, the Executive Office of the President shall make available on a publicly available website in an easily searchable and downloadable format the following information:

(1) The annual salary of each White House employee, which shall be updated quarterly, and the following:

(A) The number of employees who are paid at a rate of basic pay equal to or greater than the rate of basic pay then currently paid for level V of the Executive Schedule of section 5316 of title 5 and who are employed in the White House Office, the Executive Residence at the White House, the Office of the Vice President, the Domestic Policy Staff, or the Office of Administration, and the aggregate amount paid to such employees.

(B) The number of employees employed in such offices who are paid at a rate of basic pay which is equal to or greater than the

minimum rate of basic pay then currently paid for GS–16 of the General Schedule of section 5332 of title 5, United States Code, but which is less than the rate then currently paid for level V of the Executive Schedule of section 5316 of such title and the aggregate amount paid to such employees.

(C) The number of employees employed in such offices who are paid at a rate of basic pay which is less than the minimum rate then currently paid for GS–16 of the General Schedule of section 5332 of title 5, United States Code, and the aggregate amount paid to such employees.

(D) The number of individuals detailed under section 112 of title 3, United States Code, for more than 30 days to each such office, the number of days in excess of 30 each individual was detailed, and the aggregate amount of reimbursement made as provided by the provisions of section 112 of such title.

(E) The number of individuals whose services as experts or consultants are procured under chapter 2 title 3, United States Code, for service in any such office, the total number of days employed, and the aggregate amount paid to procure such services.

(2) The most recent financial disclosure statement for each White House employee filed pursuant to the Ethics in Government Act of 1978 (5 U.S.C. App.), which shall be updated annually.

AMENDMENT NO. 5 OFFERED BY MS. CLARK OF MASSACHUSETTS

Page 9, insert after line 12 the following:

SEC. 203. CONTRACTS BY THE PRESIDENT, THE VICE PRESIDENT, OR A CABINET MEMBER.

(a) AMENDMENT.—Section 431 of title 18, United States Code, is amended—

(1) in the section heading, by inserting ''**the President, the Vice President, a Cabinet Member, or a**'' after ''**Contracts by**''; and

(2) in the first undesignated paragraph, by inserting ''the President, the Vice President, or any member of the Cabinet,'' after ''Whoever, being''.

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections for chapter 23 of title 18, United States Code, is amended by striking the item relating to section 431 and inserting the following:

''431. Contracts by the President, the Vice President, a Cabinet Member, or a Member of Congress.''.

AMENDMENT NO. 6 OFFERED BY MR. COHEN OF TENNESSEE

Page 6, strike lines 17 through 20, and insert the following:

(A) an offense against the United States that arises from an investigation in which the target or subject is—

(i) the President;

(ii) a relative of the President;

(iii) any member or former member of the President's administration;

(iv) any person who worked on the President's presidential campaign as a paid employee; or

(v) in the case of an offense motivated by a direct and significant personal or pecuniary interest of any individual described in clause (i), (ii), (iii), or (iv), any person or entity;

Page 7, beginning on line 5, strike ''has the meaning'' and all that follows through ''Code.'', and insert the following: '' means any family member, up to a third degree relation to the President, or a spouse thereof.''.

AMENDMENT NO. 8 OFFERED BY MR. CONNOLLY OF VIRGINIA

Add at the end the following (and update the table of contents accordingly):

TITLE XVI—PREVENTING A PATRONAGE SYSTEM

SEC. 1601. LIMITATIONS ON EXCEPTION OF COMPETITIVE SERVICE POSITIONS.

(a) IN GENERAL.—No position in the competitive service (as defined under section 2102 of title 5, United States Code) may be excepted from the competitive service unless such position is placed—

(1) in any of the schedules A through E as described in section 6.2 of title 5, Code of Federal Regulations, as in effect on September 30, 2020; and

(2) under the terms and conditions under part 6 of such title as in effect on such date.

(b) SUBSEQUENT TRANSFERS.—No position in the excepted service (as defined under section 2103 of title 5, United States Code) may be placed in any schedule other than a schedule described in subsection (a)(1).

AMENDMENT NO. 9 OFFERED BY MR. CORREA OF CALIFORNIA

Page 57, after line 19, insert the following (and update the table of contents accordingly):

SEC. 525. TREATMENT OF REQUESTS FOR INFORMATION FROM MEMBERS OF CONGRESS.

Section 552(d) of title 5, United States Code, is amended by inserting '', or any member thereof,'' after ''Congress''.

AMENDMENT NO. 10 OFFERED BY MR. CORREA OF CALIFORNIA

At the end of part 1 of subtitle B of title V, add the following new section:

SEC. 516. MACHINE-READABLE FORMAT REQUIRED FOR AGENCY REPORTS.

Any report required to be submitted to Congress by an executive agency shall be submitted in machine-readable format, unless each committee of Congress to whom the report is submitted waives the requirement.

AMENDMENT NO. 11 OFFERED BY MS. DELBENE OF WASHINGTON

Page 157, beginning on line 15, strike ''**FOREIGN INTERFERENCE**'' and insert ''**FOREIGN INTERFERENCE; CYBERSECURITY GUIDANCE FOR CAMPAIGNS**''.

Page 175, insert after line 18 the following:

TITLE XV—CYBERSECURITY GUIDANCE FOR CAMPAIGNS

SEC. 1501. ISSUANCE OF CYBERSECURITY GUIDANCE AND BEST PRACTICES FOR CAMPAIGNS BY FEDERAL ELECTION COMMISSION.

(a) IN GENERAL.—Section 311 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30111) is amended by adding at the end the following new subsection:

''(g) ISSUANCE OF CYBERSECURITY GUIDANCE AND BEST PRACTICES.—

''(1) ISSUANCE.—In consultation with the Directory of the National Institute of Standards and Technology, the Director of the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security, and such other offices of the government as the Commission considers appropriate, the Commission shall issue—

''(A) guidance for political committees and vendors on cybersecurity risks, including threats to the databases of such committees; and

''(B) best practices for political committees to protect their databases from such threats.

''(2) UPDATES.—The Commission shall regularly issue updated versions of the guidance and best practices described in paragraph (1).''.

(b) DEADLINE.—The Federal Election Commission shall issue the first guidance and best practices under section 311(g) of the Federal Election Campaign Act of 1971, as added by subsection (a), not later than 6 months after the date of the enactment of this Act.

AMENDMENT NO. 12 OFFERED BY MS. FOXX OF NORTH CAROLINA

Add at the end of title VII of division B the following new subtitle (and update the table of contents accordingly):

Subtitle D—Inspector General for the Office of Management and Budget

SEC. 731. INSPECTOR GENERAL FOR THE OFFICE OF MANAGEMENT AND BUDGET.

(a) ESTABLISHMENT OF OFFICE.—Section 12 of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in paragraph, (1) by inserting ''the Director of the Office of Management and Budget,'' after ''means'' ; and

(2) in paragraph (2), by inserting ''the Office of Management and Budget,'' after ''means''.

(b) SPECIAL PROVISIONS CONCERNING THE INSPECTOR GENERAL OF THE OFFICE OF MANAGEMENT AND BUDGET.—The Inspector General Act of 1978 (5 U.S.C. App.) is amended by adding after section 8N the following new section:

''SEC. 80. SPECIAL PROVISIONS CONCERNING THE INSPECTOR GENERAL OF THE OFFICE OF MANAGEMENT AND BUDGET.

''The Inspector General of the Office of Management and Budget shall only have jurisdiction over those matters that have been specifically assigned to the Office under law.''.

(c) APPOINTMENT.—Not later than 120 days after the date of the enactment of this Act, the President shall appoint an individual to serve as the Inspector General of the Office of Management and Budget in accordance with section 3(a) of the Inspector General Act of 1978 (5 U.S.C. App.).

AMENDMENT NO. 13 OFFERED BY MS. FOXX OF NORTH CAROLINA

Page 25, insert after line 7 the following:

SEC. 406. ENFORCEMENT OF REQUESTS FOR INFORMATION FROM CERTAIN COMMITTEES OF CONGRESS.

For purposes of remedying any failure to comply with a request under section 2954 of title 5, United States Code, section 1365a of title 28, United States Code (as added by section 403), and section 105 of the Revised Statutes of the United States (as added by section 404) shall apply to such a request.

AMENDMENT NO. 14 OFFERED BY MR. GALLEGO OF ARIZONA

At the end of division A, insert the following:

TITLE IV—ACCOUNTABILITY IN ACCESS TO CLASSIFIED INFORMATION

SEC. 401. TRANSPARENCY IN ACCESS TO CLASSIFIED INFORMATION DURING PRESIDENTIAL TRANSITIONS.

The Presidential Transition Act of 1963 (3 U.S.C. 102 note) is amended in section 3(f) by adding at the end the following:

''(3) Not later than 10 days after submitting an application for a security clearance for any individual, and not later than 10 days after any such individual is granted a security clearance (including an interim clearance), each eligible candidate (as that term is described in subsection (h)(4)(A)) or the President-elect (as the case may be) shall submit a report containing the name of such individual to the Committee on Oversight and Reform of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, the Permanent Select Committee on Intelligence of the House of Representatives, and the Select Committee on Intelligence of the Senate.''.

SEC. 402. TRANSPARENCY IN FAMILY ACCESS TO CLASSIFIED INFORMATION.

(a) IN GENERAL.—Not later than 10 days after submitting an application for a security clearance for any covered individual,

and not later than 10 days after any covered individual is granted a security clearance (including an interim clearance), the President or head of the applicable agency shall submit a written notice of such application or approval (as the case may be) to the Committee on Oversight and Reform of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, the Permanent Select Committee on Intelligence of the House of Representatives, and the Select Committee on Intelligence of the Senate.

(b) COVERED INDIVIDUAL DEFINED.—In this section, the term ''covered individual'' means a spouse, child, or child-in-law (including adult children and children-in-law) of the President.

AMENDMENT NO. 15 OFFERED BY MR. GOLDEN OF MAINE

Page 14, insert after line 8 the following (and redesignate provisions accordingly):

(b) REPORTING REQUIREMENTS RELATED TO SPOUSES AND DEPENDENT CHILDREN.—Section 102(e)(1) of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended—

(1) in the matter preceding subparagraph (A), by inserting after ''paragraphs (1) through (5)'' the following: ''and paragraphs (9) through (11)''; and

(2) by inserting after subparagraph (F) the following:

''(G) In the case of items described in paragraphs (9) and (10) of subsection (a), all information required to be reported under these paragraphs.

''(H) In the case of items described in paragraph (11)(A) of subsection (a), any such items received by spouse or dependant child of the President other than items related to the President's services as President provided for by Federal law, and in the case of items described in paragraph (11)(B) of subsection (a), all information required to be reported under that paragraph.''.

AMENDMENT NO. 16 OFFERED BY MR. ISSA OF CALIFORNIA

Page 175, insert after line 18 the following (and redesignate the succeeding provisions accordingly):

DIVISION D—SECURITY CLEARANCES OF EMPLOYEES OF MEMBER OFFICES

TITLE XV—DETERMINATION OF NUMBER OF EMPLOYEES WITH SECURITY CLEARANCES

SEC. 1501. EXCLUSION OF EMPLOYEES WITH EXISTING SECURITY CLEARANCES FROM DETERMINATION OF LIMIT ON NUMBER OF EMPLOYEES OF HOUSE MEMBER OFFICES PERMITTED TO HAVE CLEARANCES.

For purposes of any Rule or regulation of the House of Representatives which limits the number of employees of the office of a Member of the House (including a Delegate or Resident Commissioner to the Congress) who are permitted to have security clearances, an employee of the office who has a valid security clearance which the employee obtained prior to becoming an employee of the Member's office shall not be included in the determination of the number of employees of the office who have security clearances.

SEC. 1502. EXERCISE OF RULEMAKING AUTHORITY.

This title is enacted by Congress—

(1) as an exercise of the rulemaking power of the House of Representatives, and as such it is deemed a part of the rules of the House of Representatives, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of the House of Representatives to change the rules (so far as relating to the procedure of the House) at any time, in the same manner, and to the same extent as in the case of any other rule of the House.

AMENDMENT NO. 17 OFFERED BY MR. KILMER OF WASHINGTON

Page 157, beginning on line 15, strike ''**FOREIGN INTERFERENCE**'' and insert ''**FOREIGN INTERFERENCE; HONEST ADS**''.

Page 175, insert after line 18 the following (and redesignate the succeeding provisions accordingly):

TITLE XV—HONEST ADS

SEC. 1501. SHORT TITLE.

This title may be cited as the ''Honest Ads Act''.

SEC. 1502. PURPOSE.

The purpose of this title is to enhance the integrity of American democracy and national security by improving disclosure requirements for online political advertisements in order to uphold the Supreme Court's well-established standard that the electorate bears the right to be fully informed.

SEC. 1503. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the dramatic increase in digital political advertisements, and the growing centrality of online platforms in the lives of Americans, requires the Congress and the Federal Election Commission to take meaningful action to ensure that laws and regulations provide the accountability and transparency that is fundamental to our democracy;

(2) free and fair elections require both transparency and accountability which give the public a right to know the true sources of funding for political advertisements in order to make informed political choices and hold elected officials accountable; and

(3) transparency of funding for political advertisements is essential to enforce other campaign finance laws, including the prohibition on campaign spending by foreign nationals.

SEC. 1504. EXPANSION OF DEFINITION OF PUBLIC COMMUNICATION.

(a) IN GENERAL.—Paragraph (22) of section 301 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101(22)) is amended by striking ''or satellite communication'' and inserting ''satellite, paid internet, or paid digital communication''.

(b) TREATMENT OF CONTRIBUTIONS AND EXPENDITURES.—Section 301 of such Act (52 U.S.C. 30101) is amended—

(1) in paragraph (8)(B)(v), by striking ''on broadcasting stations, or in newspapers, magazines, or similar types of general public political advertising'' and inserting ''in any public communication''; and

(2) in paragraph (9)(B)—

(A) by amending clause (i) to read as follows:

''(i) any news story, commentary, or editorial distributed through the facilities of any broadcasting station or any print, online, or digital newspaper, magazine, blog, publication, or periodical, unless such broadcasting, print, online, or digital facilities are owned or controlled by any political party, political committee, or candidate;''; and

(B) in clause (iv), by striking ''on broadcasting stations, or in newspapers, magazines, or similar types of general public political advertising'' and inserting ''in any public communication''.

(c) DISCLOSURE AND DISCLAIMER STATEMENTS.—Subsection (a) of section 318 of such Act (52 U.S.C. 30120) is amended—

(1) by striking ''financing any communication through any broadcasting station, newspaper, magazine, outdoor advertising facility, mailing, or any other type of general public political advertising'' and inserting ''financing any public communication''; and

(2) by striking ''solicits any contribution through any broadcasting station, newspaper, magazine, outdoor advertising facility, mailing, or any other type of general public political advertising'' and inserting ''solicits any contribution through any public communication''.

SEC. 1505. EXPANSION OF DEFINITION OF ELECTIONEERING COMMUNICATION.

(a) EXPANSION TO ONLINE COMMUNICATIONS.—

(1) APPLICATION TO QUALIFIED INTERNET AND DIGITAL COMMUNICATIONS.—

(A) IN GENERAL.—Subparagraph (A) of section 304(f)(3) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30104(f)(3)(A)) is amended by striking ''or satellite communication'' each place it appears in clauses (i) and (ii) and inserting ''satellite, or qualified internet or digital communication''.

(B) QUALIFIED INTERNET OR DIGITAL COMMUNICATION.—Paragraph (3) of section 304(f) of such Act (52 U.S.C. 30104(f)) is amended by adding at the end the following new subparagraph:

''(D) QUALIFIED INTERNET OR DIGITAL COMMUNICATION.—The term 'qualified internet or digital communication' means any communication which is placed or promoted for a fee on an online platform (as defined in subsection (k)(3)).''.

(2) NONAPPLICATION OF RELEVANT ELECTORATE TO ONLINE COMMUNICATIONS.—Section 304(f)(3)(A)(i)(III) of such Act (52 U.S.C. 30104(f)(3)(A)(i)(III)) is amended by inserting ''any broadcast, cable, or satellite'' before ''communication''.

(3) NEWS EXEMPTION.—Section 304(f)(3)(B)(i) of such Act (52 U.S.C. 30104(f)(3)(B)(i)) is amended to read as follows:

''(i) a communication appearing in a news story, commentary, or editorial distributed through the facilities of any broadcasting station or any online or digital newspaper, magazine, blog, publication, or periodical, unless such broadcasting, online, or digital facilities are owned or controlled by any political party, political committee, or candidate;''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to communications made on or after January 1, 2022.

SEC. 1506. APPLICATION OF DISCLAIMER STATEMENTS TO ONLINE COMMUNICATIONS.

(a) CLEAR AND CONSPICUOUS MANNER REQUIREMENT.—Subsection (a) of section 318 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30120(a)) is amended—

(1) by striking ''shall clearly state'' each place it appears in paragraphs (1), (2), and (3) and inserting ''shall state in a clear and conspicuous manner''; and

(2) by adding at the end the following flush sentence: ''For purposes of this section, a communication does not make a statement in a clear and conspicuous manner if it is difficult to read or hear or if the placement is easily overlooked.''.

(b) SPECIAL RULES FOR QUALIFIED INTERNET OR DIGITAL COMMUNICATIONS.—

(1) IN GENERAL.—Section 318 of such Act (52 U.S.C. 30120) is amended by adding at the end the following new subsection:

''(e) SPECIAL RULES FOR QUALIFIED INTERNET OR DIGITAL COMMUNICATIONS.—

''(1) SPECIAL RULES WITH RESPECT TO STATEMENTS.—In the case of any qualified internet or digital communication (as defined in section 304(f)(3)(D)) which is disseminated through a medium in which the provision of all of the information specified in this section is not possible, the communication shall, in a clear and conspicuous manner—

''(A) state the name of the person who paid for the communication; and

''(B) provide a means for the recipient of the communication to obtain the remainder of the information required under this section with minimal effort and without receiving or viewing any additional material other than such required information.

''(2) SAFE HARBOR FOR DETERMINING CLEAR AND CONSPICUOUS MANNER.—A statement in qualified internet or digital communication (as defined in section 304(f)(3)(D)) shall be considered to be made in a clear and conspicuous manner as provided in subsection (a) if the communication meets the following requirements:

''(A) TEXT OR GRAPHIC COMMUNICATIONS.—In the case of a text or graphic communication, the statement—

''(i) appears in letters at least as large as the majority of the text in the communication; and

''(ii) meets the requirements of paragraphs (2) and (3) of subsection (c).

''(B) AUDIO COMMUNICATIONS.—In the case of an audio communication, the statement is spoken in a clearly audible and intelligible manner at the beginning or end of the communication and lasts at least 3 seconds.

''(C) VIDEO COMMUNICATIONS.—In the case of a video communication which also includes audio, the statement—

''(i) is included at either the beginning or the end of the communication; and

''(ii) is made both in—

''(I) a written format that meets the requirements of subparagraph (A) and appears for at least 4 seconds; and

''(II) an audible format that meets the requirements of subparagraph (B).

''(D) OTHER COMMUNICATIONS.—In the case of any other type of communication, the statement is at least as clear and conspicuous as the statement specified in subparagraph (A), (B), or (C).''.

(2) NONAPPLICATION OF CERTAIN EXCEPTIONS.—The exceptions provided in section 110.11(f)(1)(i) and (ii) of title 11, Code of Federal Regulations, or any successor to such rules, shall have no application to qualified internet or digital communications (as defined in section 304(f)(3)(D) of the Federal Election Campaign Act of 1971).

(c) MODIFICATION OF ADDITIONAL REQUIREMENTS FOR CERTAIN COMMUNICATIONS.—Section 318(d) of such Act (52 U.S.C. 30120(d)) is amended—

(1) in paragraph (1)(A)—

(A) by striking ''which is transmitted through radio'' and inserting ''which is in an audio format''; and

(B) by striking ''BY RADIO'' in the heading and inserting ''AUDIO FORMAT'';

(2) in paragraph (1)(B)—

(A) by striking ''which is transmitted through television'' and inserting ''which is in video format''; and

(B) by striking ''BY TELEVISION'' in the heading and inserting ''VIDEO FORMAT''; and

(3) in paragraph (2)—

(A) by striking ''transmitted through radio or television'' and inserting ''made in audio or video format''; and

(B) by striking ''through television'' in the second sentence and inserting ''in video format''.

SEC. 1507. POLITICAL RECORD REQUIREMENTS FOR ONLINE PLATFORMS.

(a) IN GENERAL.—Section 304 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30104), as amended by section 1301(a)(1), is further amended by adding at the end the following new subsection:

''(k) DISCLOSURE OF CERTAIN ONLINE ADVERTISEMENTS.—

''(1) IN GENERAL.—

''(A) REQUIREMENTS FOR ONLINE PLATFORMS.—An online platform shall maintain, and make available for online public inspection in machine readable format, a complete record of any request to purchase on such online platform a qualified political advertisement which is made by a person whose aggregate requests to purchase qualified political advertisements on such online platform during the calendar year exceeds $500.

''(B) REQUIREMENTS FOR ADVERTISERS.—Any person who requests to purchase a qualified political advertisement on an online platform shall provide the online platform with such information as is necessary for the online platform to comply with the requirements of subparagraph (A).

''(2) CONTENTS OF RECORD.—A record maintained under paragraph (1)(A) shall contain—

''(A) a digital copy of the qualified political advertisement;

''(B) a description of the audience targeted by the advertisement, the number of views generated from the advertisement, and the date and time that the advertisement is first displayed and last displayed; and

''(C) information regarding—

''(i) the average rate charged for the advertisement;

''(ii) the name of the candidate to which the advertisement refers and the office to which the candidate is seeking election, the election to which the advertisement refers, or the national legislative issue to which the advertisement refers (as applicable);

''(iii) in the case of a request made by, or on behalf of, a candidate, the name of the candidate, the authorized committee of the candidate, and the treasurer of such committee; and

''(iv) in the case of any request not described in clause (iii), the name of the person purchasing the advertisement, the name and address of a contact person for such person, and a list of the chief executive officers or members of the executive committee or of the board of directors of such person, and, if the person purchasing the advertisement is acting as the agent of a foreign principal under the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 611 et seq.), a statement that the person is acting as the agent of a foreign principal and the identification of the foreign principal involved.

''(3) ONLINE PLATFORM.—For purposes of this subsection, the term 'online platform' means any public-facing website, web application, or digital application (including a social network, ad network, or search engine) which—

''(A) sells qualified political advertisements; and

''(B) has 50,000,000 or more unique monthly United States visitors or users for a majority of months during the preceding 12 months.

''(4) QUALIFIED POLITICAL ADVERTISEMENT.—For purposes of this subsection, the term 'qualified political advertisement' means any advertisement (including search engine marketing, display advertisements, video advertisements, native advertisements, and sponsorships) that—

''(A) is made by or on behalf of a candidate; or

''(B) communicates a message relating to any political matter of national importance, including—

''(i) a candidate;

''(ii) any election to Federal office; or

''(iii) a national legislative issue of public importance.

''(5) TIME TO MAINTAIN FILE.—The information required under this subsection shall be made available as soon as possible and shall be retained by the online platform for a period of not less than 4 years.

''(6) SAFE HARBOR FOR PLATFORMS MAKING BEST EFFORTS TO IDENTIFY REQUESTS WHICH ARE SUBJECT TO RECORD MAINTENANCE REQUIREMENTS.—In accordance with rules established by the Commission, if an online platform shows that the platform used best efforts to determine whether or not a request to purchase a qualified political advertisement was subject to the requirements of this subsection, the online platform shall not be considered to be in violation of such requirements.

''(7) PENALTIES.—For penalties for failure by online platforms, and persons requesting to purchase a qualified political advertisement on online platforms, to comply with the requirements of this subsection, see section 309.''.

(b) RULEMAKING.—Not later than 120 days after the date of the enactment of this Act, the Federal Election Commission shall establish rules—

(1) requiring common data formats for the record required to be maintained under section 304(k) of the Federal Election Campaign Act of 1971 (as added by subsection (a)) so that all online platforms submit and maintain data online in a common, machine-readable and publicly accessible format;

(2) establishing search interface requirements relating to such record, including searches by candidate name, issue, purchaser, and date; and

(3) establishing the criteria for the safe harbor exception provided under paragraph (6) of section 304(k) of such Act (as added by subsection (a)).

(c) REPORTING.—Not later than 2 years after the date of the enactment of this Act, and biannually thereafter, the Chairman of the Federal Election Commission shall submit a report to Congress on—

(1) matters relating to compliance with and the enforcement of the requirements of section 304(k) of the Federal Election Campaign Act of 1971, as added by subsection (a);

(2) recommendations for any modifications to such section to assist in carrying out its purposes; and

(3) identifying ways to bring transparency and accountability to political advertisements distributed online for free.

SEC. 1508. PREVENTING CONTRIBUTIONS, EXPENDITURES, INDEPENDENT EXPENDITURES, AND DISBURSEMENTS FOR ELECTIONEERING COMMUNICATIONS BY FOREIGN NATIONALS IN THE FORM OF ONLINE ADVERTISING.

Section 319 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121), as amended by section 1401(a), is further amended by adding at the end the following new subsection:

''(d) RESPONSIBILITIES OF BROADCAST STATIONS, PROVIDERS OF CABLE AND SATELLITE TELEVISION, AND ONLINE PLATFORMS.—

''(1) RESPONSIBILITIES DESCRIBED.—Each television or radio broadcast station, provider of cable or satellite television, or online platform (as defined in section 304(k)(3)) shall make reasonable efforts to ensure that communications described in section 318(a) and made available by such station, provider, or platform are not purchased by a foreign national, directly or indirectly. For purposes of the previous sentence, a station, provider, or online platform shall not be considered to have made reasonable efforts under this paragraph in the case of the availability of a communication unless the station, provider, or online platform directly inquires from the individual or entity making such purchase whether the purchase is to be made by a foreign national, directly or indirectly.

''(2) SPECIAL RULES FOR DISBURSEMENT PAID WITH CREDIT CARD.—For purposes of paragraph (1), a television or radio broadcast station, provider of cable or satellite television, or online platform shall be considered to have made reasonable efforts under such paragraph in the case of a purchase of the availability of a communication which is made with a credit card if—

''(A) the individual or entity making such purchase is required, at the time of making such purchase, to disclose the credit verification value of such credit card; and

''(B) the billing address associated with such credit card is located in the United States or, in the case of a purchase made by an individual who is a United States citizen living outside of the United States, the individual provides the television or radio broadcast station, provider of cable or satellite television, or online platform with the United States mailing address the individual uses for voter registration purposes.''.

SEC. 1509. INDEPENDENT STUDY ON MEDIA LITERACY AND ONLINE POLITICAL CONTENT CONSUMPTION.

(a) INDEPENDENT STUDY.—Not later than 30 days after the date of enactment of this Act, the Federal Election Commission shall commission an independent study and report on media literacy with respect to online political content consumption among voting-age Americans.

(b) ELEMENTS.—The study and report under subsection (a) shall include the following:

(1) An evaluation of media literacy skills, such as the ability to evaluate sources, synthesize multiple accounts into a coherent understanding of an issue, understand the context of communications, and responsibly create and share information, among voting-age Americans.

(2) An analysis of the effects of media literacy education and particular media literacy skills on the ability to critically consume online political content, including political advertising.

(3) Recommendations for improving voting-age Americans' ability to critically consume online political content, including political advertising.

(c) DEADLINE.—Not later than 270 days after the date of enactment of this Act, the entity conducting the study and report under subsection (a) shall submit the report to the Commission.

(d) SUBMISSION TO CONGRESS.—Not later than 30 days after receiving the report under subsection (c), the Commission shall submit the report to the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate, together with such comments on the report as the Commission considers appropriate.

(e) DEFINITION OF MEDIA LITERACY.—The term ''media literacy'' means the ability to—

(1) access relevant and accurate information through media;

(2) critically analyze media content and the influences of media;

(3) evaluate the comprehensiveness, relevance, credibility, authority, and accuracy of information;

(4) make educated decisions based on information obtained from media and digital sources;

(5) operate various forms of technology and digital tools; and

(6) reflect on how the use of media and technology may affect private and public life.

AMENDMENT NO. 18 OFFERED BY MR. LYNCH OF MASSACHUSETTS

Page 157, beginning on line 15, strike ''**FOREIGN INTERFERENCE**'' and insert ''**FOREIGN INTERFERENCE; PROHIBITING USE OF DEEPFAKES IN CAMPAIGNS**''.

Page 175, insert after line 18 the following (and redesignate the succeeding provisions accordingly:

TITLE XV—PROHIBITING USE OF DEEPFAKES IN ELECTION CAMPAIGNS

SEC. 1501. PROHIBITION ON DISTRIBUTION OF MATERIALLY DECEPTIVE AUDIO OR VISUAL MEDIA PRIOR TO ELECTION.

(a) IN GENERAL.—Title III of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101 et seq.) is amended by adding at the end the following new section:

''SEC. 325. PROHIBITION ON DISTRIBUTION OF MATERIALLY DECEPTIVE MEDIA PRIOR TO ELECTION.

''(a) IN GENERAL.—Except as provided in subsections (b) and (c), a person, political committee, or other entity shall not, within 60 days of a election for Federal office at which a candidate for elective office will appear on the ballot, distribute, with actual malice, materially deceptive audio or visual media of the candidate with the intent to injure the candidate's reputation or to deceive a voter into voting for or against the candidate.

''(b) EXCEPTION.—

''(1) REQUIRED LANGUAGE.—The prohibition in subsection (a) does not apply if the audio or visual media includes—

''(A) a disclosure stating: ''This _____ has been manipulated.''; and

''(B) filled in the blank in the disclosure under subparagraph (A), the term 'image', 'video', or 'audio', as most accurately describes the media.

''(2) VISUAL MEDIA.—For visual media, the text of the disclosure shall appear in a size that is easily readable by the average viewer and no smaller than the largest font size of other text appearing in the visual media. If the visual media does not include any other text, the disclosure shall appear in a size that is easily readable by the average viewer. For visual media that is video, the disclosure shall appear for the duration of the video.

''(3) AUDIO-ONLY MEDIA.—If the media consists of audio only, the disclosure shall be read in a clearly spoken manner and in a pitch that can be easily heard by the average listener, at the beginning of the audio, at the end of the audio, and, if the audio is greater than 2 minutes in length, interspersed within the audio at intervals of not greater than 2 minutes each.

''(c) INAPPLICABILITY TO CERTAIN ENTITIES.—This section does not apply to the following:

''(1) A radio or television broadcasting station, including a cable or satellite television operator, programmer, or producer, that broadcasts materially deceptive audio or visual media prohibited by this section as part of a bona fide newscast, news interview, news documentary, or on-the-spot coverage of bona fide news events, if the broadcast clearly acknowledges through content or a disclosure, in a manner that can be easily heard or read by the average listener or viewer, that there are questions about the authenticity of the materially deceptive audio or visual media.

''(2) A radio or television broadcasting station, including a cable or satellite television operator, programmer, or producer, when it is paid to broadcast materially deceptive audio or visual media.

''(3) An internet website, or a regularly published newspaper, magazine, or other periodical of general circulation, including an internet or electronic publication, that routinely carries news and commentary of general interest, and that publishes materially deceptive audio or visual media prohibited by this section, if the publication clearly states that the materially deceptive audio or visual media does not accurately represent the speech or conduct of the candidate.

''(4) Materially deceptive audio or visual media that constitutes satire or parody.

''(d) CIVIL ACTION.—

''(1) INJUNCTIVE OR OTHER EQUITABLE RELIEF.—A candidate for elective office whose voice or likeness appears in a materially deceptive audio or visual media distributed in violation of this section may seek injunctive or other equitable relief prohibiting the distribution of audio or visual media in violation of this section. An action under this paragraph shall be entitled to precedence in accordance with the Federal Rules of Civil Procedure.

''(2) DAMAGES.—A candidate for elective office whose voice or likeness appears in a materially deceptive audio or visual media distributed in violation of this section may bring an action for general or special damages against the person, committee, or other entity that distributed the materially deceptive audio or visual media. The court may also award a prevailing party reasonable attorney's fees and costs. This paragraph shall not be construed to limit or preclude a plaintiff from securing or recovering any other available remedy.

''(3) BURDEN OF PROOF.—In any civil action alleging a violation of this section, the plaintiff shall bear the burden of establishing the violation through clear and convincing evidence.

''(e) RULE OF CONSTRUCTION.—This section shall not be construed to alter or negate any rights, obligations, or immunities of an interactive service provider under section 230 of title 47, United States Code.

''(f) MATERIALLY DECEPTIVE AUDIO OR VISUAL MEDIA DEFINED.—In this section, the term 'materially deceptive audio or visual media' means an image or an audio or video recording of a candidate's appearance, speech, or conduct that has been intentionally manipulated in a manner such that both of the following conditions are met:

''(1) The image or audio or video recording would falsely appear to a reasonable person to be authentic.

''(2) The image or audio or video recording would cause a reasonable person to have a fundamentally different understanding or impression of the expressive content of the image or audio or video recording than that person would have if the person were hearing or seeing the unaltered, original version of the image or audio or video recording.''.

(b) CRIMINAL PENALTIES.—Section 309(d)(1) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30109(d)(1)), as amended by section 1303, is further amended by adding at the end the following new subparagraph:

''(G) Any person who knowingly and willfully commits a violation of section 325 shall be fined not more than $100,000, imprisoned not more than 5 years, or both.''.

(c) EFFECT ON DEFAMATION ACTION.—For purposes of an action for defamation, a violation of section 325 of the Federal Election Campaign Act of 1971, as added by subsection (a), shall constitute defamation per se.

AMENDMENT NO. 19 OFFERED BY MR. SEAN PATRICK MALONEY OF NEW YORK

Insert after section 202 the following:

SEC. 203. FORFEITURE OF BENEFITS FOR FORMER PRESIDENTS CONVICTED OF A FELONY.

The Act entitled ''An Act to provide retirement, clerical assistants, and free mailing privileges to former Presidents of the United States, and for other purposes'', approved August 25, 1958 (commonly known as the ''Former Presidents Act of 1958''; 3 U.S.C. 102 note), is amended—

(1) in subsection (a), by striking ''Each former President'' and inserting ''Subject to subsection (h), each former President'';

(2) in subsection (f), by striking paragraph (2) and inserting:

''(2) who has not been impeached by the House of Representatives and convicted by

the Senate pursuant to the impeachment.''; and

(3) by adding at the end the following new subsection:

''(h)(1) If a former President is finally convicted of a felony for which every act or omission that is needed to satisfy the elements of the felony is committed during or after the period such former President holds the office of President of the United States of America, or was finally convicted of such a felony while holding such office—

''(A) no monetary allowance under subsection (a) may be provided to such former President;

''(B) no funds may be obligated or expended under subsection (g) with respect to such former President except to the extent necessary to maintain the security of such former President, as determined by the Director of the Secret Service; and

''(C) such former President shall repay any amounts received under subsection (a) during the period beginning on the date on which such former President is initially convicted of the felony and ending on the date such former President is finally convicted of the felony.

''(2) The term 'finally convicted' means a conviction—

''(A) which has not been appealed and is no longer appealable because the time for taking an appeal has expired; or

''(B) which has been appealed and the appeals process for which is completed.''.

AMENDMENT NO. 20 OFFERED BY MR. MCGOVERN OF MASSACHUSETTS

Page 59, line 18, insert ''substantially'' before ''the same''.

Page 60, after line 8, insert the following:

''(e) LIMITATIONS.—

''(1) IN GENERAL.—Any emergency powers invoked by the President pursuant to a national emergency declared under this section shall relate to the nature of, and may be used only to address, that emergency.

''(2) AUTHORIZATION OR FUNDING WITHHELD.—No authority available to the President during a national emergency declared under this section may be used to provide authorization or funding for any program, project, or activity for which Congress, on or after the date of the events giving rise to the emergency declaration, has withheld authorization or funding.''.

Page 62, line 17, insert '', including a joint resolution of termination defined in section 203,'' before ''terminating the emergency''.

Page 62, line 17, strike ''; or'' and insert a semicolon.

Page 62, line 19, strike the period at the end and insert ''; or''.

Page 62, after line 19, insert the following:

''(E) the date provided for in section 204.''.

Page 64, after line 3, insert the following (and redesignate the subsequent subsections accordingly in the matter proposed to be added as section 203 of the National Emergencies Act):

''(b) JOINT RESOLUTION OF TERMINATION DEFINED.—In this section, the term 'joint resolution of termination' means a resolution introduced in the House or Senate to terminate—

''(1) a national emergency declared under this Act; or

''(2) the exercise of any authorities pursuant to that emergency.''.

Page 64, line 5, insert ''AND JOINT RESOLUTIONS OF TERMINATION'' after ''APPROVAL''.

Page 64, strike lines 14 through 16 (relating to the matter proposed to be added as a paragraph (2)) and redesignate the subsequent paragraphs accordingly.

Page 67, beginning line 17, strike ''a motion'' and insert ''another motion''.

Page 63, beginning line 10, through page 71, line 7, (relating to the matter proposed to be added as section 203 of the National Emergencies Act), insert ''or joint resolution of termination'' after ''joint resolution of approval'' each place it appears (except for page 68, line 2, and page 68, line 6).

Page 71, after line 7, insert the following:

''SEC. 204. BAR ON PERMANENT EMERGENCIES.

''(a) IN GENERAL.—Any national emergency declared by the President under section 201(a), and not otherwise terminated, shall automatically terminate on the date that is 5 years after the date of its declaration.

''(b) EMERGENCIES ALREADY IN EFFECT.—Any national emergency declaration that remains in force as of the date of the enactment of this section and—

''(1) has been in effect for 3 years or fewer as of such date, shall automatically terminate on the date that is 5 years after the date of the enactment of this section; or

''(2) has been in effect for more than 3 years as of such date, shall automatically terminate on the date that is 2 years after the date of the enactment of this section.

''(c) EFFECT OF TERMINATION.—If a national emergency declaration terminates pursuant to this section, no emergency may subsequently be declared based on substantially the same circumstances.''.

Page 71, line 8, strike ''Sec. 204.'' and insert ''Sec. 205.''.

AMENDMENT NO. 21 OFFERED BY MS. OCASIO-CORTEZ OF NEW YORK

At the end of title X, add the following:

SEC. 1003. INCLUDING EXECUTIVE OFFICE OF THE PRESIDENT UNDER LIMITATION ON NEPOTISM IN THE CIVIL SERVICE.

Section 3110(a)(1)(A) of title 5, United States Code, is amended by inserting '', including the Executive Office of the President'' after ''Executive agency''.

AMENDMENT NO. 22 OFFERED BY MS. OCASIO-CORTEZ OF NEW YORK

Insert after section 1002 the following:

Subtitle B—Strengthening Ethics Enforcement and Penalties for Federal Executive Employees

SEC. 1011. ETHICS PLEDGE.

Every appointee in every executive agency appointed on or after January 20, 2021, shall sign, and upon signing shall be contractually committed to, the following pledge upon becoming an appointee:

''I recognize that this pledge is part of a broader ethics in government plan designed to restore and maintain public trust in government, and I commit myself to conduct consistent with that plan. I commit to decision-making on the merits and exclusively in the public interest, without regard to private gain or personal benefit. I commit to conduct that upholds the independence of law enforcement and precludes improper interference with investigative or prosecutorial decisions of the Department of Justice. I commit to ethical choices of post-Government employment that do not raise the appearance that I have used my Government service for private gain, including by using confidential information acquired and relationships established for the benefit of future clients.

''Accordingly, as a condition, and in consideration, of my employment in the United States Government in a position invested with the public trust, I commit myself to the following obligations, which I understand are binding on me and are enforceable under law:

''(1) Lobbyist Gift Ban.—I will not accept gifts from registered lobbyists or lobbying organizations for the duration of my service as an appointee.

''(2) Revolving Door Ban; All Appointees Entering Government.—I will not for a period of 2 years from the date of my appointment participate in any particular matter involving specific parties that is directly and substantially related to my former employer or former clients, including regulations and contracts.

''(3) Revolving Door Ban; Lobbyists and Registered Agents Entering Government.—If I was registered under the Lobbying Disclosure Act, 2 U.S.C. 1601 et seq., or the Foreign Agents Registration Act (FARA), 22 U.S.C. 611 et seq., within the 2 years before the date of my appointment, in addition to abiding by the limitations of paragraph 2, I will not for a period of 2 years after the date of my appointment:

''(A) participate in any particular matter on which I lobbied, or engaged in registrable activity under FARA, within the 2 years before the date of my appointment;

''(B) participate in the specific issue area in which that particular matter falls; or

''(C) seek or accept employment with any executive agency with respect to which I lobbied, or engaged in registrable activity under FARA, within the 2 years before the date of my appointment.

''(4) Revolving Door Ban; Appointees Leaving Government.—If, upon my departure from the Government, I am covered by the post-employment restrictions on communicating with employees of my former executive agency set forth in section 207(c) of title 18, United States Code, and its implementing regulations, I agree that I will abide by those restrictions for a period of 2 years following the end of my appointment. I will abide by these same restrictions with respect to communicating with the senior White House staff.

''(5) Revolving Door Ban; Senior and Very Senior Appointees Leaving Government.— If, upon my departure from the Government, I am covered by the post-employment restrictions set forth in sections 207(c) or 207(d) of title 18, United States Code, and those sections' implementing regulations, I agree that, in addition, for a period of 1 year following the end of my appointment, I will not materially assist others in making communications or appearances that I am prohibited from undertaking myself by—

''(A) holding myself out as being available to engage in lobbying activities in support of any such communications or appearances; or

''(B) engaging in any such lobbying activities.

''(6) Revolving Door Ban; Appointees Leaving Government to Lobby.—In addition to abiding by the limitations of paragraph 4, I also agree, upon leaving Government service, not to lobby any covered executive branch official or non-career Senior Executive Service appointee, or engage in any activity on behalf of any foreign government or foreign political party which, were it undertaken on January 20, 2021, would require that I register under FARA, for the remainder of the Administration or 2 years following the end of my appointment, whichever is later.

''(7) Golden Parachute Ban.—I have not accepted and will not accept, including after entering Government, any salary or other cash payment from my former employer the eligibility for and payment of which is limited to individuals accepting a position in the United States Government. I also have not accepted and will not accept any non-cash benefit from my former employer that is provided in lieu of such a prohibited cash payment.

''(8) Employment Qualification Commitment.—I agree that any hiring or other employment decisions I make will be based on the candidate's qualifications, competence, and experience.

''(9) Assent to Enforcement.—I acknowledge that title XVI of the Protecting Our Democracy Act, which I have read before signing this document, defines certain of the terms applicable to the foregoing obligations and sets forth the methods for enforcing them. I expressly accept the provisions of that title as a part of this agreement and as binding on me. I understand that the terms of this pledge are in addition to any statutory or other legal restrictions applicable to me by virtue of Federal Government service.''.

SEC. 1012. DEFINITIONS.

For purposes of this title and the pledge set forth in section 1101 of this title:

(1) ''Executive agency'' shall include each ''executive agency'' as defined by section 105 of title 5, United States Code, and shall include the Executive Office of the President; provided, however, that ''executive agency'' shall include the United States Postal Service and Postal Regulatory Commission, but shall exclude the Government Accountability Office.

(2) ''Appointee'' shall include every full-time, non-career Presidential or Vice-Presidential appointee, non-career appointee in the Senior Executive Service (or other SES-type system), and appointee to a position that has been excepted from the competitive service by reason of being of a confidential or policymaking character (Schedule C and other positions excepted under comparable criteria) in an executive agency. It does not include any person appointed as a member of the Senior Foreign Service or solely as a uniformed service commissioned officer.

(3) ''Gift''—

(A) shall have the definition set forth in section 2635.203(b) of title 5, Code of Federal Regulations;

(B) shall include gifts that are solicited or accepted indirectly, as defined in section 2635.203(f) of title 5, Code of Federal Regulations; and

(C) shall exclude those items excluded by sections 2635.204(b), (c), (e)(1) and (3), and (j) through (l) of title 5, Code of Federal Regulations.

(4) ''Covered executive branch official'' and ''lobbyist'' shall have the definitions set forth in section 1602 of title 2, United States Code.

(5) ''Registered lobbyist or lobbying organization'' shall mean a lobbyist or an organization filing a registration pursuant to section 1603(a) of title 2, United States Code, and in the case of an organization filing such a registration, ''registered lobbyist'' shall include each of the lobbyists identified therein.

(6) ''Lobby'' and ''lobbied'' shall mean to act or have acted as a registered lobbyist.

(7) ''Lobbying activities'' shall have the definition set forth in section 1602 of title 2, United States Code.

(8) ''Materially assist'' means to provide substantive assistance but does not include providing background or general education on a matter of law or policy based upon an individual's subject matter expertise, nor any conduct or assistance permitted under section 207(j) of title 18, United States Code.

(9) ''Particular matter'' shall have the same meaning as set forth in section 207 of title 18, United States Code, and section 2635.402(b)(3) of title 5, Code of Federal Regulations.

(10) ''Particular matter involving specific parties'' shall have the same meaning as set forth in section 2641.201(h) of title 5, Code of Federal Regulations, except that it shall also include any meeting or other communication relating to the performance of one's official duties with a former employer or former client, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties.

(11) ''Former employer'' is any person for whom the appointee has within the 2 years prior to the date of his or her appointment served as an employee, officer, director, trustee, or general partner, except that ''former employer'' does not include any executive agency or other entity of the Federal Government, State or local government, the District of Columbia, Native American tribe, any United States territory or possession, or any international organization in which the United States is a member state.

(12) ''Former client'' is any person for whom the appointee served personally as agent, attorney, or consultant within the 2 years prior to the date of his or her appointment, but excluding instances where the service provided was limited to speeches or similar appearances. It does not include clients of the appointee's former employer to whom the appointee did not personally provide services.

(13) ''Directly and substantially related to my former employer or former clients'' shall mean matters in which the appointee's former employer or a former client is a party or represents a party.

(14) ''Participate'' means to participate personally and substantially.

(15) ''Government official'' means any employee of the executive branch.

(16) ''Administration'' means all terms of office of the incumbent President serving at the time of the appointment of an appointee covered by this title.

(17) ''Pledge'' means the ethics pledge set forth in section 1011 of this title.

(18) ''Senior White House staff'' means any person appointed by the President to a position under sections 105(a)(2)(A) or (B) of title 3, United States Code, or by the Vice President to a position under sections 106(a)(1)(A) or (B) of title 3.

(19) All references to provisions of law and regulations shall refer to such provisions as are in effect on January 20, 2021.

SEC. 1013. WAIVER.

(a) The Director of the Office of Management and Budget (OMB), in consultation with the Counsel to the President, may grant to any current or former appointee a written waiver of any restrictions contained in the pledge signed by such appointee if, and to the extent that, the Director of OMB certifies in writing:—

(1) that the literal application of the restriction is inconsistent with the purposes of the restriction; or

(2) that it is in the public interest to grant the waiver. Any such written waiver should reflect the basis for the waiver and, in the case of a waiver of the restrictions set forth in paragraphs (3)(B) and (C) of the pledge, a discussion of the findings with respect to the factors set forth in subsection (b) of this section.

(b) A waiver shall take effect when the certification is signed by the Director of OMB and shall be made public within 10 days thereafter.

(c) The public interest shall include, but not be limited to, exigent circumstances relating to national security, the economy, public health, or the environment. In determining whether it is in the public interest to grant a waiver of the restrictions contained in paragraphs (3)(B) and (C) of the pledge, the responsible official may consider the following factors—

(1) the government's need for the individual's services, including the existence of special circumstances related to national security, the economy, public health, or the environment;

(2) the uniqueness of the individual's qualifications to meet the government's needs;

(3) the scope and nature of the individual's prior lobbying activities, including whether such activities were de minimis or rendered on behalf of a nonprofit organization; and

(4) the extent to which the purposes of the restriction may be satisfied through other limitations on the individual's services, such as those required by paragraph (3)(A) of the pledge.

SEC. 1014. ADMINISTRATION.

(a) The head of every executive agency shall, in consultation with the Director of the Office of Government Ethics, establish such rules or procedures (conforming as nearly as practicable to the agency's general ethics rules and procedures, including those relating to designated agency ethics officers) as are necessary or appropriate to ensure—

(1) that every appointee in the agency signs the pledge upon assuming the appointed office or otherwise becoming an appointee;

(2) that compliance with paragraph (3) of the pledge is addressed in a written ethics agreement with each appointee to whom it applies, which agreement shall also be approved by the Counsel to the President prior to the appointee commencing work;

(3) that spousal employment issues and other conflicts not expressly addressed by the pledge are addressed in ethics agreements with appointees or, where no such agreements are required, through ethics counseling; and

(4) that the agency generally complies with this title.

(b) With respect to the Executive Office of the President, the duties set forth in subsection (a) shall be the responsibility of the Counsel to the President.

(c) The Director of the Office of Government Ethics shall—

(1) ensure that the pledge and a copy of this title are made available for use by agencies in fulfilling their duties under subsection (a);

(2) in consultation with the Attorney General or the Counsel to the President, when appropriate, assist designated agency ethics officers in providing advice to current or former appointees regarding the application of the pledge; and

(3) in consultation with the Attorney General and the Counsel to the President, adopt such rules or procedures as are necessary or appropriate—

(A) to carry out the foregoing responsibilities;

(B) to authorize limited exceptions to the lobbyist gift ban for circumstances that do not implicate the purposes of the ban;

(C) to make clear that no person shall have violated the lobbyist gift ban if the person properly disposes of a gift as provided by section 2635.206 of title 5, Code of Federal Regulations;

(D) to ensure that existing rules and procedures for Government employees engaged in negotiations for future employment with private businesses that are affected by the employees' official actions do not affect the integrity of the Government's programs and operations; and

(E) to ensure, in consultation with the Director of the Office of Personnel Management, that the requirement set forth in paragraph (6) of the pledge is honored by every employee of the executive branch; and

(4) in consultation with the Director of OMB, report to the President on whether full compliance is being achieved with existing laws and regulations governing executive branch procurement lobbying disclosure. This report shall include recommendations

on steps the executive branch can take to expand, to the fullest extent practicable, disclosure of both executive branch procurement lobbying and of lobbying for Presidential pardons. These recommendations shall include both immediate actions the executive branch can take and, if necessary, recommendations for legislation; and

(5) provide an annual public report on the administration of the pledge and this title.

(d) The Director of the Office of Government Ethics shall, in consultation with the Attorney General, the Counsel to the President, and the Director of the Office of Personnel Management, report to the President on steps the executive branch can take to expand to the fullest extent practicable the revolving door ban set forth in paragraph (5) of the pledge to all executive branch employees who are involved in the procurement process such that they may not for 2 years after leaving Government service lobby any Government official regarding a Government contract that was under their official responsibility in the last 2 years of their Government service. This report shall include both immediate actions the executive branch can take and, if necessary, recommendations for legislation.

(e) All pledges signed by appointees, and all waiver certifications with respect thereto, shall be filed with the head of the appointee's agency for permanent retention in the appointee's official personnel folder or equivalent folder.

SEC. 1015. ENFORCEMENT.

(a) The contractual, fiduciary, and ethical commitments in the pledge provided for herein are solely enforceable by the United States pursuant to this section by any legally available means, including debarment proceedings within any affected executive agency or judicial civil proceedings for declaratory, injunctive, or monetary relief.

(b) Any former appointee who is determined, after notice and hearing, by the duly designated authority within any agency, to have violated his or her pledge may be barred from lobbying any officer or employee of that agency for up to 5 years in addition to the time period covered by the pledge. The head of every executive agency shall, in consultation with the Director of the Office of Government Ethics, establish procedures to implement this subsection, which procedures shall include (but not be limited to) providing for fact-finding and investigation of possible violations of this title and for referrals to the Attorney General for consideration pursuant to subsection (c) of this section.

(c) The Attorney General is authorized—

(1) upon receiving information regarding the possible breach of any commitment in a signed pledge, to request any appropriate Federal investigative authority to conduct such investigations as may be appropriate; and

(2) upon determining that there is a reasonable basis to believe that a breach of a commitment has occurred or will occur or continue, if not enjoined, to commence a civil action against the former employee in any United States District Court with jurisdiction to consider the matter.

(d) In any such civil action, the Attorney General is authorized to request any and all relief authorized by law, including but not limited to:

(1) such temporary restraining orders and preliminary and permanent injunctions as may be appropriate to restrain future, recurring, or continuing conduct by the former employee in breach of the commitments in the pledge he or she signed; and

(2) establishment of a constructive trust for the benefit of the United States, requiring an accounting and payment to the United States Treasury of all money and other things of value received by, or payable to, the former employee arising out of any breach or attempted breach of the pledge signed by the former employee.

SEC. 1016. GENERAL PROVISIONS.

(a) If any provision of this title or the application of such provision is held to be invalid, the remainder of this title and other dissimilar applications of such provision shall not be affected.

(b) Nothing in this title shall be construed to impair or otherwise affect—

(1) the authority granted by law to an executive department or agency, or the head thereof; or

(2) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(c) This title shall be implemented consistent with applicable law and subject to the availability of appropriations.

(d) This title is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

AMENDMENT NO. 23 OFFERED BY MS. OCASIO-CORTEZ OF NEW YORK

Page 17, insert after line 9 the following (and conform the table of contents accordingly):

SEC. 308. RULEMAKING FOR ETHICS REQUIREMENTS FOR LEGAL EXPENSE FUNDS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Director of the Office of Government Ethics shall finalize a rule establishing ethics requirements for the establishment or operation of a legal expense fund for the benefit of the President, the Vice President, or any political appointee (as such term is defined in section 1216 of title 5, United States Code) consistent with the requirements of subsection (b).

(b) LIMITATIONS ON ACCEPTANCE OF CERTAIN PAYMENTS.—A legal expense fund described in subsection (a) may not accept any contribution or other payment made by—

(1) an individual who is a registered lobbyist under the Lobbying Disclosure Act of 1995 (2 U.S.C. 1601 et seq.); or

(2) an agent of a foreign principal.

In the case of any such contribution being made, the legal expense fund shall take appropriate remedial action and the Director of the Office of Government Ethics may assess a fine against the individual or agent. For purposes of this section, the term ''agent of a foreign principal'' has the meaning given such term under section 1 of the Foreign Agents Registration Act of 1938, as amended (2 U.S.C. 611).

AMENDMENT NO. 24 OFFERED BY MS. OCASIO-CORTEZ OF NEW YORK

Page 17, after line 9, insert the following:

SEC. 308. LIMITATIONS AND DISCLOSURE OF CERTAIN DONATIONS TO, AND DISBURSEMENTS BY, INAUGURAL COMMITTEES.

(a) REQUIREMENTS FOR INAUGURAL COMMITTEES.—Title III of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101 et seq.) is amended by adding at the end the following new section:

''SEC. 325. INAUGURAL COMMITTEES.

''(a) PROHIBITED DONATIONS.—

''(1) IN GENERAL.—It shall be unlawful—

''(A) for an Inaugural Committee—

''(i) to solicit, accept, or receive a donation from a person that is not an individual; or

''(ii) to solicit, accept, or receive a donation from a foreign national;

''(B) for a person—

''(i) to make a donation to an Inaugural Committee in the name of another person, or to knowingly authorize his or her name to be used to effect such a donation;

''(ii) to knowingly accept a donation to an Inaugural Committee made by a person in the name of another person; or

''(iii) to convert a donation to an Inaugural Committee to personal use as described in paragraph (2); and

''(C) for a foreign national to, directly or indirectly, make a donation, or make an express or implied promise to make a donation, to an Inaugural Committee.

''(2) CONVERSION OF DONATION TO PERSONAL USE.—For purposes of paragraph (1)(B)(iii), a donation shall be considered to be converted to personal use if any part of the donated amount is used—

''(A) to fulfill a commitment, obligation, or expense of a person that would exist irrespective of the responsibilities of the Inaugural Committee; or

''(B) to benefit the personal business venture of the President or Vice President of the United States, the Inaugural Committee, or an immediate family member of such individuals.

''(3) NO EFFECT ON DISBURSEMENT OF UNUSED FUNDS TO NONPROFIT ORGANIZATIONS.—Nothing in this subsection may be construed to prohibit an Inaugural Committee from disbursing unused funds to an organization which is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

''(b) LIMITATION ON DONATIONS.—

''(1) IN GENERAL.—It shall be unlawful for an individual to make donations to an Inaugural Committee which, in the aggregate, exceed $50,000.

''(2) INDEXING.—At the beginning of each Presidential election year (beginning with 2028), the amount described in paragraph (1) shall be increased by the cumulative percent difference determined in section 315(c)(1)(A) since the previous Presidential election year. If any amount after such increase is not a multiple of $1,000, such amount shall be rounded to the nearest multiple of $1,000.

''(c) DISCLOSURE OF CERTAIN DONATIONS AND DISBURSEMENTS.—

''(1) DONATIONS OVER $1,000.—

''(A) IN GENERAL.—An Inaugural Committee shall file with the Commission a report disclosing any donation by an individual to the committee in an amount of $1,000 or more not later than 24 hours after the receipt of such donation.

''(B) CONTENTS OF REPORT.—A report filed under subparagraph (A) shall contain—

''(i) the amount of the donation;

''(ii) the date the donation is received; and

''(iii) the name and address of the individual making the donation.

''(2) FINAL REPORT.—Not later than the date that is 90 days after the date of the Presidential inaugural ceremony, the Inaugural Committee shall file with the Commission a report containing the following information:

''(A) For each donation of money or anything of value made to the committee in an aggregate amount equal to or greater than $200—

''(i) the amount of the donation;

''(ii) the date the donation is received; and

''(iii) the name and address of the individual making the donation.

''(B) The total amount of all disbursements, and all disbursements in the following categories:

''(i) Disbursements made to meet committee operating expenses.

''(ii) Repayment of all loans.

''(iii) Donation refunds and other offsets to donations.

''(iv) Any other disbursements.

''(C) The name and address of each person—

''(i) to whom a disbursement in an aggregate amount or value in excess of $200 is made by the committee to meet a committee operating expense, together with date, amount, and purpose of such operating expense;

''(ii) who receives a loan repayment from the committee, together with the date and amount of such loan repayment;

''(iii) who receives a donation refund or other offset to donations from the committee, together with the date and amount of such disbursement; and

''(iv) to whom any other disbursement in an aggregate amount or value in excess of $200 is made by the committee, together with the date and amount of such disbursement.

''(d) VIOLATION.—A violation of this section may be enforced pursuant to the practice and procedure described under section 309 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30109).

''(e) RULE OF CONSTRUCTION.—Nothing in this section may be construed to limit the authority of a Federal agency to enforce a Federal law with respect to an Inaugural Committee.

''(f) DEFINITIONS.—For purposes of this section:

''(1)(A) The term 'donation' includes—

''(i) any gift, subscription, loan, advance, or deposit of money or anything of value made by any person to the committee; or

''(ii) the payment by any person of compensation for the personal services of another person which are rendered to the committee without charge for any purpose.

''(B) The term 'donation' does not include the value of services provided without compensation by any individual who volunteers on behalf of the committee.

''(2) The term 'foreign national' has the meaning given that term by section 319(b).

''(3) The term 'immediate family member' means a parent, parent-in-law, spouse, adult child, or sibling.

''(4) The term 'Inaugural Committee' has the meaning given that term by section 501 of title 36, United States Code.''.

(b) CONFIRMING AMENDMENT RELATED TO REPORTING REQUIREMENTS.—Section 304 of the Federal Election Campaign Act (52 U.S.C. 30104) is amended—

(1) by striking subsection (h); and

(2) by redesignating subsection (i) as subsection (h).

(c) CONFORMING AMENDMENT RELATED TO STATUS OF COMMITTEE.—Section 510 of title 36, United States Code, is amended to read as follows:

''§ 510. Disclosure of and prohibition on certain donations

''A committee shall not be considered to be the Inaugural Committee for purposes of this chapter unless the committee agrees to, and meets, the requirements of section 325 of the Federal Election Campaign Act of 1971.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to Inaugural Committees established under chapter 5 of title 36, United States Code, for inaugurations held in 2025 and any succeeding year.

AMENDMENT NO. 26 OFFERED BY MS. OMAR OF MINNESOTA

Page 122, line 23, insert before ''a commissioned officer'' the following: ''a fellow or intern at an agency,''.

AMENDMENT NO. 27 OFFERED BY MR. PASCRELL OF NEW JERSEY

Add at the end of section 1002 the following:

(c) CRIMINAL PENALTY.—

(1) IN GENERAL.—Subchapter III of chapter 73 of title 5, United States Code, is amended by adding after section 7326 the following:

''§ 7328. Criminal penalty for Hatch Act violations

''(a) IN GENERAL.—Any person who knowingly violates section 7323 or 7324 shall be fined $50,000 (notwithstanding section 3571(e) of title 18), or imprisoned for not more than 1 year, or both. Notwithstanding section 3571(e) of title 18, for each violation after the first, the fine applicable under this section shall be double the amount of the fine assessed for the previous violation.

''(b) ATTORNEY FEES.—A court may assess against the United States reasonable attorney fees and other litigation costs reasonably incurred in any case under this section in which an employee has established, by a preponderance of the evidence, that a superior ordered or otherwise coerced the employee into taking any act that resulted in a violation of such section 7323 or 7324.''.

(2) CLERICAL AMENDMENT.—The table of sections of such subchapter is amended by inserting after the item relating to section 7326 the following:

''7328. Criminal penalty for Hatch Act violations.''.

(3) TRAINING.—After an individual's first violation of section 7323 or 7324 of title 5, United States Code, such individual shall be provided training by the employing agency on how to avoid subsequent violations of either such section.

Insert after section 1002 the following:

SEC. 1003. DISCLOSURE OF HATCH ACT INVESTIGATIONS FOR CERTAIN POLITICAL EMPLOYEES.

Section 1216 of title 5, United States Code, is amended by adding at the end the following:

''(d)(1) With respect to any investigation of an allegation of prohibited activity under subsection (a)(1) against a political employee, not later than 14 days after the Special Counsel makes a final determination under such investigation with respect to whether a violation occurred, the Special Counsel shall—

''(A) publish, on the Office of Special Counsel's website, such determination and a report on that determination; and

''(B) submit such report to the Committee on Oversight and Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate.

''(2) In this subsection, the term 'political employee' means any individual occupying any of the following positions in the executive branch of Government (including an individual carrying out the duties of a position described in paragraph (1) in an acting capacity):

''(A) Any position required to be filled by an appointment by the President by and with the advice and consent of the Senate.

''(B) Any position in the executive branch of the Government of a confidential or policy-determining character under schedule C of subpart C of part 213 of title 5, Code of Federal Regulations.

''(C) Any position in or under the Executive Office of the President.

''(D) Any position in or under the Office of the Vice President.

''(E) Any position in the Senior Executive Service that is not a career appointee, a limited term appointee, or a limited emergency appointee (as those terms are defined in section 3132(a)).''.

SEC. 1004. CLARIFICATION ON CANDIDATES VISITING FEDERAL PROPERTY.

(a) IN GENERAL.—Section 7323 of title 5, United States Code, is amended by adding at the end the following:

''(d) Nothing in this section or section 7324 shall be construed to prohibit an employee from allowing a Member of Congress or any other elected official from visiting Federal facilities for an official purpose, including receiving briefings, tours, or other official information.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Such section 7323 is further amended—

(1) in subsection (a)(1), by striking ''his'' and inserting ''the employee's''; and

(2) in subsection (c)—

(A) by striking ''he'' and inserting ''the employee''; and

(B) by striking ''his'' and inserting ''the employee's''.

SEC. 1005. APPLYING HATCH ACT TO PRESIDENT AND VICE PRESIDENT WHILE ON FEDERAL PROPERTY.

(a) IN GENERAL.—Subchapter III of chapter 73 of title 5, United States Code, as amended by section 1002(c), is further amended by redesignating section 7326 as section 7327 and by inserting after section 7325 the following:

''§ 7326. Limitations on political activity of president and vice president while on White House grounds

''Notwithstanding section 7322(1), the prohibitions on political activity under section 7323(a) and section 7324 shall apply to the President and Vice President while the President and Vice President are on or in any part of the White House and White House grounds that is regularly used in the discharge of official duties.''.

(b) CLERICAL AMENDMENT.—The table of sections of such subchapter, as amended by section 1002(c), is fruther amended by striking the item relating to section 7326 and inserting the following:

''7326. Limitations on political activity of President and Vice President while on Federal property

''7327. Penalties''.

SEC. 1006. GRANTING THE OFFICE OF SPECIAL COUNSEL RULEMAKING AUTHORITY.

Notwithstanding any other law, rule, or regulation, the Office of Special Counsel shall have exclusive authority to promulgate regulations with respect to authority granted to the Office under the Hatch Act.

SEC. 1007. GREATER ACCOUNTABILITY FOR POLITICAL APPOINTEES.

Section 1204(c) of title 5, United States Code, is amended by adding at the end the following: ''Notwithstanding the previous sentences, in the case of contumacy or failure by an individual to obey a subpoena issued under subsection (b)(2)(A) or section 1214(b) with respect to an investigation into any violation of section 7323 or 7324, the Board may issue an order requiring that individual to appear at any designated place to testify or to produce documentary or other evidence.''.''.

SEC. 1008. INVESTIGATING FORMER POLITICAL EMPLOYEES.

Notwithstanding any other provision of law, the Office of Special Counsel may continue an investigation of a violation of section 7323 or 7324 of title 5, United States Code, of an individual who is a former employee but only if such investigation commenced while the individual was an employee. In this section, the term ''employee'' has the meaning given that term in section 7322(1) of such title.

SEC. 1009. GAO REVIEW OF REIMBURSABLE POLITICAL EVENTS.

Not later than 60 days after the date of enactment of this Act, the Comptroller General shall submit to Congress a report on reimbursable political events held at the White House or on the White House grounds during the period beginning on January 1, 1997, and

ending on the date of enactment of this Act. Such report shall include the following:

(1) Whether, during such period, the requirements in annual appropriations Acts with respect to reimbursable political events have been followed, including the requirements under the heading ''Executive Residence At the White House—Reimbursable Expenses'' in division D of Public Law 116–6.

(2) An assessment of what constitutes a political event during such period.

(3) Whether an event that was not classified as a political event during such period should have been classified as such an event.

(4) A review of any payment made by a political entity under the terms of such requirements.

(5) Recommendations for Congress on—

(A) a definition for the term ''political event''; and

(B) how to assess whether administrations are following such requirements and how to hold administrations accountable if such requirements are not followed.

AMENDMENT NO. 28 OFFERED BY MR. PHILLIPS OF MINNESOTA

Add at the end the following:

SEC. ___. PROHIBITION ON USE OF FEDERAL PROPERTY FOR POLITICAL CONVENTIONS.

(a) IN GENERAL.—Chapter 29 of title 18, United States Code, is amended by inserting after section 611 the following:

''§ 612. Prohibition on use of Federal property for certain political activities

''(a) A convention of a national political party held to nominate a candidate for the office of President or Vice President may not be held on or in any Federal property.

''(b) Any candidate or the authorized committee of the candidate under the Federal Election Campaign Act of 1971 which was responsible for a convention in violation of subsection (a) shall be subject to an assessment of a civil penalty equal to the fair market value of the cost of the convention or $50,000, whichever is greater, or imprisoned not more than five years, or both.

''(c) In this section, the term 'Federal property' means any building, land, or other real property owned, leased, or occupied by any department, agency, or instrumentality of the United States, including the White House grounds and the White House (including the Old Executive Office Building, the West Wing, the East Wing, the Rose Garden, and the Executive Residence, but not including the second floor of the Executive Residence).''.

(b) CLERICAL AMENDMENT.—The table of sections for such chapter is amended by inserting after the item relating to section 611 the following:

''612. Prohibition on use of Federal property for certain political activities.''.

(c) APPLICATION.—

(1) IN GENERAL.—This Act and the amendments made by this Act shall apply to any convention described in section 612(a) of title 18, United States Code, as added by subsection (a), occurring on or after the date of enactment of this Act.

(2) TRAVEL.—Nothing in this Act or the amendments made by this Act shall be construed to limit or otherwise prevent the President or Vice President from using vehicles (including aircraft) owned or leased by the Government for travel to or from any such convention.

AMENDMENT NO. 29 OFFERED BY MR. PHILLIPS OF MINNESOTA

Page 175, insert after line 18 the following (and redesignate the succeeding provisions accordingly):

DIVISION D—RANKED CHOICE VOTING

TITLE XV—ASSISTANCE FOR TRANSITION TO RANKED CHOICE VOTING

SEC. 1501. SHORT TITLE.

This title may be cited as the ''Voter Choice Act''.

SEC. 1502. ASSISTANCE FOR TRANSITION TO RANKED CHOICE VOTING.

(a) IN GENERAL.—Title V of the Help America Vote Act of 2002 (52 U.S.C. 21121 et seq.) is amended by adding at the end the following:

''Subtitle B—Ranked Choice Voting Program

''SEC. 511. RANKED CHOICE VOTING PROGRAM.

''(a) DEFINITION OF RANKED CHOICE VOTING SYSTEM.—For purposes of this subtitle, the term 'ranked choice voting system' means a set of election methods which allow each voter to rank contest options in order of the voter's preference, in which votes are counted in rounds using a series of runoff tabulations to defeat contest options with the fewest votes, and which elects a winner with a majority of final round votes in a single-winner contest and provides proportional representation in multi-winner contests.

''(b) PROGRAM.—The Commission shall establish a program under which the Commission—

''(1) provides technical assistance to State and local governments that are considering whether to make, or that are in the process of making, a transition to a ranked choice voting system for Federal, State, or local elections; and

''(2) awards grants to States and local government to support the transition to a ranked choice voting system, including through the acquisition of voting equipment and tabulation software, appropriate ballot design, the development and publication of educational materials, and voter outreach.

''(c) RULES FOR GRANTS.—

''(1) SELECTION OF GRANT RECIPIENTS.—To the extent possible, the Commission shall award grants under subsection (b)(2) to areas that represent a diversity of jurisdictions with respect to geography, population characteristics, and population density.

''(2) AWARD LIMITATION.—The amount of any grant awarded under subsection (b)(2) shall not exceed 50 percent of the cost of the activities covered by the grant.

''SEC. 512. AUTHORIZATION OF APPROPRIATIONS.

''(a) IN GENERAL.—In addition to any funds authorized to be appropriated to the Commission under section 210, there are authorized to be appropriated to carry out this subtitle $40,000,000 for fiscal year 2022.

''(b) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to the authorization under this section shall remain available, without fiscal year limitation, until expended.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 202(6) of the Help America Vote Act of 2002 (52 U.S.C. 20922) is amended by striking ''the Help America Vote College Program under title V'' and inserting ''the programs under title V''.

(2) Title V of the Help America Vote Act of 2002 (52 U.S.C. 21121 et seq.) is amended by striking the matter preceding section 501 and inserting the following:

''TITLE V—ELECTION ASSISTANCE PROGRAMS

''Subtitle A—Help America Vote College Program''.

(3) Section 503 of such Act (52 U.S.C. 21123) is amended by striking ''title'' and inserting ''subtitle''.

(4) The table of sections of the Help America Vote Act of 2002 is amended—

(A) by striking the item relating to title V and inserting the following:

''TITLE V—ELECTION ASSISTANCE PROGRAMS

''Subtitle A—Help America Vote College Program'';

and

(B) by inserting after the item relating to section 503 the following:

''Subtitle B—Ranked Choice Voting Program

''Sec. 511. Ranked choice voting program.

''Sec. 512. Authorization of appropriations.''.

AMENDMENT NO. 30 OFFERED BY MR. QUIGLEY OF ILLINOIS

Add at the end the following: ...

SEC. ___. IMPROVING ACCESS TO INFLUENTIAL VISITOR ACCESS RECORDS.

(a) DEFINITIONS.—In this section:

(1) COVERED LOCATION.—The term ''covered location'' means—

(A) the White House;

(B) the residence of the Vice President; and

(C) any other location at which the President or the Vice President regularly conducts official business.

(2) COVERED RECORDS.—The term ''covered records'' means information relating to a visit at a covered location, which shall include—

(A) the name of each visitor at the covered location;

(B) the name of each individual with whom each visitor described in subparagraph (A) met at the covered location; and

(C) the purpose of the visit.

(b) REQUIREMENT.—Except as provided in subsection (c), not later than 90 days after the date of enactment of this Act, the President shall establish and update, every 90 days thereafter, a publicly available database that contains covered records for the preceding 90-day period, on a publicly available website in an easily searchable and downloadable format.

(c) EXCEPTIONS.—

(1) IN GENERAL.—The President shall not include in the database established under subsection (b) any covered record—

(A) the posting of which would implicate personal privacy or law enforcement concerns or threaten national security;

(B) relating to a purely personal guest at a covered location; or

(C) that reveals the social security number, taxpayer identification number, birth date, home address, or personal phone number of an individual, the name of an individual who is less than 18 years old, or a financial account number.

(2) SENSITIVE MEETINGS.—With respect to a particularly sensitive meeting at a covered location, the President shall—

(A) include the number of visitors at the covered location in the database established under subsection (b);

(B) post the applicable covered records in the database established under subsection (b) when the President determines that release of the covered records is no longer sensitive; and

(C) post any reasonably segregable portion that is not covered by an exception described in subsection (c) of any such excepted record on the website described under subsection (b).

AMENDMENT NO. 31 OFFERED BY MR. RASKIN OF MARYLAND

Page 9, after line 2, insert the following (and redesignate the following subsections accordingly):

''(d) DELAY IN TRIAL OR OTHER LEGAL PROCEEDINGS.—In the case of an indictment of any person serving as President or Vice President of the United States, a trial or other legal proceeding with respect to such indictment may be delayed at the discretion of a court of competent jurisdiction to the extent that ongoing criminal proceedings

would interfere with the performance of the defendant's duties while in office.

''(e) BURDEN OF PROOF.—With respect to an exercise of discretion under subsection (d), the burden of proof shall be on the defendant to demonstrate that an ongoing criminal proceeding would pose a substantial burden on the defendant's ability to fulfill the duties of the defendant's office.''.

AMENDMENT NO. 32 OFFERED BY MS. ROSS OF NORTH CAROLINA

Page 9, insert after line 12 the following:

SEC. 203. LIMITATION ON NONDISCLOSURE AGREEMENTS.

The President may not require an officer or employee of the Executive Office of the President to enter into a nondisclosure agreement that is not related to the protection of classified or controlled unclassified information as a condition of employment or upon separation from the civil service.

AMENDMENT NO. 33 OFFERED BY MS. ROSS OF NORTH CAROLINA

Page 176, insert after line 3 the following (and conform the table of contents accordingly):

DIVISION E—PROTECTING ELECTION OFFICIALS

TITLE XVI—DOJ TASK FORCE

SEC. 1601. ELECTION OFFICIALS SECURITY TASK FORCE.

The Attorney General shall establish a task force, to be headed by the head of the Civil Rights Division of the Department of Justice, for purposes of studying threats or acts of violence against the people responsible for ensuring the integrity of Federal and State elections in the United States, and their families, and to provide expertise and resources for the identification, investigation, and prosecution of the persons responsible for such threats and acts, including by making referrals for criminal prosecutions. The task force shall include representatives from the following:

(1) The Federal Bureau of Investigation.

(2) The United States Marshals Service.

(3) The Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security.

(4) State and local prosecutors and election officials.

(5) The Election Assistance Commission.

(6) Elections officials associations.

AMENDMENT NO. 34 OFFERED BY MS. SCANLON OF PENNSYLVANIA

Page 86, line 12, strike ''January 30 and July 30 of each year'' and insert ''January 30, April 30, July 30, and October 30 of each year''.

Page 86, beginning on line 16, strike ''the 6-month period preceding that January or July'' and insert ''the 3-month period preceding that January, April, July, or October''.

The SPEAKER pro tempore. Pursuant to House Resolution 838, the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) and the gentleman from Kentucky (Mr. COMER) each will control 10 minutes.

The Chair recognizes the gentlewoman from New York.

□ 1345

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, several amendments offered would increase transparency of White House operations and personnel.

The amendment offered by Congressman MIKE QUIGLEY would require the President to publicly release White House visitor logs with certain exceptions.

The amendment offered by Congressman DAVID CICILLINE would require the White House to publicly release salary information and financial disclosure statements for White House employees.

The amendment offered by Congressman BILL PASCRELL would further strengthen the Hatch Act by increasing penalties for employees who knowingly break the law and use their position for partisan political activity. This amendment would also allow the Office of Special Counsel to continue investigations into former political employees after they leave Federal office.

The amendment offered by Congresswoman ALEXANDRIA OCASIO-CORTEZ would direct the Office of Government Ethics to establish ethics requirements on the establishment or use of legal expense funds for the President, Vice President, or any political appointee.

The amendment offered by Congressman GERRY CONNOLLY would protect the civil service by preventing any position in the Federal competitive service from being reclassified outside of merit system principles. Employment in the Federal workforce should be based on an individual's knowledge, skills, and abilities, not political connections.

This package of amendments will bring accountability and transparency to our government. These reforms are critical for preserving and strengthening our democratic institutions.

Madam Speaker, I urge all of my colleagues on both sides of the aisle to vote ''yes'' on this package of amendments, and I reserve the balance of my time.

Mr. COMER. Madam Speaker, I rise to oppose the amendments en bloc.

This protecting the swamp act is full of bad policy and disregards regular order. H.R. 5314 is designed purely for Democrats to talk about all of their failed conspiracy theories about the former President. In fact, this bill looks more like a fundraising campaign than an effort to provide legislative solutions.

My Democratic colleagues should be working with Republicans to address and solve the problems President Biden and his administration have created for the American people, not pushing through hyperpartisan legislation.

While this en bloc package of amendments has several legitimate, good ideas, there are too many that make this bad bill worse. While commonsense proposals such as strengthening minority rights for Oversight and Reform Committee members, Freedom of Information Act reform, and an inspector general for the Office of Management and Budget are perfectly reasonable solutions for the House to consider, most of the amendments in this bloc make a very bad bill much worse.

Overall, these amendments entrench and slow down the Federal bureaucracy, intrude on the executive branch's powers, and strip a duly elected President of the ability to effectively manage the executive branch.

I am not sure if Democrats' distrust of the executive branch is because of their hatred for the former President or their lack of faith in the current President. Either way, Republicans should not support attempts to degrade the Office of the President.

The few good amendments in this bloc proposed by Republicans are simply drowned out by bad policy. If Democrats were serious about engaging with Republicans, then they should have worked with us through the normal legislative process during which we could have effectively vetted these measures in the committees of jurisdiction.

Americans are struggling with the highest inflation in 30 years, worried about the safety of their communities, and eager to get their children back to school. The majority is flatly ignoring the American people to instead talk about former President Trump. These amendments offered by Democrats in this package only move this bill further away from addressing the immediate concerns of Americans.

Madam Speaker, I urge my colleagues to vote ''no,'' and I reserve the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, I yield 1½ minutes to the gentleman from the great State of California (Mr. CORREA), who is the distinguished chairman of the Committee on Homeland Security Subcommittee on Oversight, Management, and Accountability.

Mr. CORREA. Madam Speaker, I thank Congresswoman MALONEY for yielding me time.

My first amendment, No. 9, will strengthen the ability of Congress to do our job of oversight of the executive branch. It closes a loophole in the Freedom of Information Act that effectively lets Federal agencies ignore congressional requests for information.

Amendment No. 10 will require all congressionally mandated reports to be transmitted to Congress in a machine-readable format. It is a commonsense way to search and find information within thousands of pages of reports.

These two amendments are about the government, and they are about transparency. Our government should not have anything to hide. Both of these are supported by the Project On Government Oversight.

Madam Speaker, I urge an ''aye'' vote on en bloc No. 1 and to support amendments No. 9 and No. 10.

Mr. COMER. Madam Speaker, I yield 3 minutes to the gentlewoman from North Carolina (Ms. FOXX), who is the ranking member of the Education and Labor Committee.

Ms. FOXX. Madam Speaker, I thank my colleague for yielding time.

Madam Speaker, I rise in support of my two amendments in this en bloc package.

The alleged purpose of this bill is to ''protect our democracy by preventing

abuses of Presidential power, restoring checks and balances and accountability and transparency in government.''

My amendments, in fact, do exactly that and would create an office of inspector general, IG, at the Office of Management and Budget, OMB.

Pursuant to the Inspector General Act of 1978, this independent, nonpartisan inspector general would prevent and detect waste, fraud, and abuse at OMB.

The underlying bill is a Democrat attempt to relitigate yesterday's issues. But today, Americans are being assailed from all sides. They are facing a Democrat President on a spending binge that is tearing this country apart. Inflation sits at a 30-year high. Gas prices are skyrocketing out of control, and now an even more reckless socialist and amnesty agenda is in the works.

My two amendments will truly bring accountability and transparency to the executive branch and protect the statutory authorities of Congress.

Last week, news broke that 40 percent or more of the $700 billion spent on unemployment benefits for COVID–19 relief went to fraud. That is nearly the size of the defense budget. An IG at OMB would be able to root out this kind of fraud, waste, and abuse and save taxpayers' dollars. The Biden administration should welcome having an OMB inspector general with the same enthusiasm they talk about transparency and accountability.

My second amendment will help protect the rights of the minority and allow the Oversight and Reform Committee to easily acquire documents from the executive branch so that we can uphold true oversight.

I look forward to working with the majority to obtain the information required by law from the administration pursuant to these Rule of 7 requests. I appreciate that Democrats agree on some level that we need rigorous oversight of the executive branch.

My only question is: Where have they been for the last 11 months?

I am also profoundly disappointed that Democrats chose to load up this en bloc package with amendments that entrench bureaucracy, hamstring Presidential appointments, and micromanage Presidential powers. This bill is supposed to restore transparency and accountability, but many of the amendments in this package move it in the opposite direction.

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, I yield 1½ minutes to the gentleman from the great State of Tennessee (Mr. COHEN), who is the distinguished chair of the Committee on the Judiciary Subcommittee on the Constitution, Civil Rights, and Civil Liberties.

Mr. COHEN. Madam Speaker, I thank the gentlewoman for yielding me the time.

Madam Speaker, my subcommittee works on issues concerning civil rights and civil liberties, and we have had hearings on the pardon power. The pardon power is something I have been interested in since the 1970s when a Democratic Governor of Tennessee abused the pardon power, and I stood up against him. I have stood up against this previous President, Trump, who abused the pardon power even more. He gave pardons to his family, to people who were administration officials, to people who worked on his campaign, and to people who lied to the Justice Department and to the FBI because they were protecting the President from the impeachment articles that were lodged against him and which would have shown his contravention of the Constitution.

I have listened to the debate here some. It is astonishing to me. There is nothing more important in this government and this Congress than protecting democracy, and democracy was threatened by Donald Trump. This bill, which ADAM SCHIFF has sponsored with many cosponsors, protects democracy. It puts checks and balances on the President.

No person should have unfettered power, and the President tried to use the pardon power to take care of people who took care of him, to shut them up so they wouldn't testify against him: Roger Stone, Mike Flynn, you name it, Madam Speaker, down to Paul Manafort.

He pardoned people who lied, who grifted, who dealt with the Russians and who were part of the conspiracy to take over the election by communicating with Kilimnik and getting information out there in the social media to beat Hillary Clinton and elect Donald Trump, the most disgusting Presidency in the history of this country.

That is why this bill is so important, to protect our democracy and save us from abuses by a future President who doesn't have limitations on him.

Madam Speaker, I pledge allegiance to the flag and hope all of us do. I support this bill.

Mr. COMER. Mr. Speaker, they say this bill is not about President Trump, but every speaker mentioned President Trump multiple times.

Mr. Speaker, I yield 1½ minutes to the gentleman from Florida (Mr. C. SCOTT FRANKLIN).

Mr. C. SCOTT FRANKLIN of Florida. Mr. Speaker, I thank Ranking Member COMER for yielding.

Mr. Speaker, I rise today in opposition to this legislation and the en bloc package, particularly amendment No. 29. This amendment would continue Democratic attempts to federalize elections.

My colleagues on the other side of the aisle like to call us Republicans seditionists, yet here they are again attempting to violate the Constitution and our democratic republic by injecting the Federal Government into State elections.

I would like to remind the Democrats that Article I, Section 4 of the Constitution reads: ''The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof''—not by Congress.

Our country is struggling with out-of-control inflation, supply chain shortages, rampant crime, and a crisis on our southern border. Yet, Democrats are focused on violating the Constitution for their own political gain.

When H.R. 1 was passed earlier this Congress, we had assumed that the Democrats were done trying to take election powers away from the States. As it turns out, they were just getting started.

Mr. Speaker, at what point are we going to start focusing on the real issues facing this country? At what point are the Democrats going to realize that America doesn't want out-of-control spending, open borders, and rampant crime?

The Founding Fathers were clear that the States are the primary managers of elections. We must address the real problems facing the American people and stop stripping States of their constitutional authorities.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield 1½ minutes to the gentlewoman from the great State of North Carolina (Ms. ADAMS). Dr. ALMA ADAMS is the distinguished chairwoman of the Committee on Education and Labor Subcommittee on Workforce Protections.

Ms. ADAMS. Mr. Speaker, I want to thank the gentlewoman for yielding.

Mr. Speaker, I rise today in support of my amendment to ensure transparency in our elections.

The American people have a right to know whether a candidate for President or Vice President has unethical foreign entanglements or compromising debts that can be leveraged against their administration—or worse.

My amendment requires the Federal Election Commission, FEC, to make an income tax return publicly available within 48 hours after receipt of return. In cases where a return requires extensive redactions, the Federal Election Commission may make the return available after 48 hours but no later than 30 days after receipt of return.

Only a full release of tax returns can ensure that our President and Vice President are working for us, the American people, not anybody else.

Mr. Speaker, I urge my colleagues to vote ''yes'' on this amendment and ''yes'' on H.R. 5314.

Mr. COMER. Mr. Speaker, I yield the balance of my time to the gentleman from Ohio (Mr. JORDAN), who is the ranking member of the House Judiciary Committee.

Mr. JORDAN. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, Americans want safer streets, affordable gas, and freedom. Instead, Democrats give us record crime levels, record inflation, and another

bill attacking President Trump sponsored by the guy who spent years misleading the Congress and, more importantly, the country on the Trump-Russia investigation, on the Mueller investigation, and on impeachments.

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Remember when the sponsor of the bill said that his office didn't meet with the whistleblower? Found out that wasn't true.

Remember when the sponsor of the bill told us that we would hear from the whistleblower during impeachment; we would actually have real process instead of having hearings and depositions in the basement in the bunker of the Capitol?

Remember when the sponsor told us this: There was more than circumstantial evidence that President Trump colluded with Russia? That turned out to be false. Bob Mueller said it was false. Everyone knew it was false.

In fact, it was such baloney, even The Washington Post has had to retract and change things from stories because they said, oh, yeah, yeah, there was a lot of false information in that dossier that they used to go spy on President Trump's campaign.

And I think this is important to understand. The sponsor of this legislation wasn't just any Member of Congress, Mr. Speaker. He wasn't just any chairman of a committee in Congress. He was the chairman of the Intelligence Committee, the committee that gets additional information from anyone else in the country, making those claims that were not accurate.

So maybe, instead of having another bill that attacks President Trump because Democrats are afraid he is going to run and he is going to win in 2024, so they want to do everything they can to attack him—maybe instead of another bill attacking President Trump, we should actually focus on things that the American people care about.

You know, you can attack President Trump all you want. I know one thing: A year ago, the border was secure. It sure was. A year ago, cities were safe, safer than they are today. A year ago, we didn't have a 31-year high inflation. We actually had wages going up, real wages. A year ago, we didn't have a Department of Justice, attacking moms and dads, putting a label, a designation, a threat tag on parents who simply go to school board meetings and speak out against a racist, hate-America curriculum. No, we didn't have that a year ago.

But you guys can keep attacking the President all you want; not addressing the issues that the American people care about. We are going to speak about the issues they care about. We are going to try to do everything we can to slow down your crazy agenda that is driving up the price of everything. And we are going to speak out against and do everything we can to make sure the Department of Justice quits attacking parents.

God bless the whistleblower that came forward and gave us the information sent from the Counterterrorism Division of the FBI. We could be dealing with that issue today. We could be holding the Attorney General accountable, the Justice Department accountable for what they are doing.

No, no, no. We are going to attack President Trump again. Democrats, that is the only thing they can do because they can't talk about anything else.

I hope we defeat this bill.

Mr. COMER. Mr. Speaker, I yield back the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield 1½ minutes to the gentlewoman from the great Commonwealth of Pennsylvania (Ms. SCANLON), the distinguished vice chair of the Committee on House Administration.

Ms. SCANLON. Mr. Speaker, if the last few years have taught us anything, it is that we cannot take our democratic institutions for granted. And to protect them in the future, we must codify many of the rules of the road for good government which have been trampled in recent years by those more interested in personal power than the public good.

That is why I rise in support of the Protecting Our Democracy Act, which would limit future abuses of Presidential powers, strengthen our system of checks and balances, and protect against foreign interference in our elections.

I am proud to offer my amendment to this important piece of legislation which would increase the frequency with which the inspector general of the Department of Justice must report to Congress any improper communications between the Department of Justice and the White House.

We all should be concerned about the threat it poses to our country when the occupant of the White House, whether it is Nixon, whether it is Trump, or whether it is anyone else, when they treat the Department of Justice as their own personal law firm, using taxpayer dollars to advance personal or political ambitions, or to block the investigation of corruption.

We are learning more every day about the heroic public servants in the Department of Justice and elsewhere who raised their voices to push back against misconduct in the White House. My amendment would make it easier for these individuals to alert Congress to misconduct and allow us to better protect our democracy.

I urge my colleagues to do their patriotic duty to protect our Constitution, and to support both my amendment and the underlying bill.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield 1 minute to the gentlewoman from the great State of California (Ms. PELOSI), the distinguished and effective Speaker of the House.

Ms. PELOSI. Mr. Speaker, I thank the gentlewoman for yielding, and I congratulate her on her great leadership chairing an important committee of the House, and thank her for bringing this legislation to the floor today.

Mr. Speaker, I thank Mr. ADAM SCHIFF for his leadership in putting this legislation together, and I will get to that in a moment.

But first, I just want to say how proud we are today. Every day that we serve in this House, a House of the people, is a privilege. No matter what honors others may bestow on us in this House, whether we are Speaker, or leader, or whip, or whatever, nothing, no honor is greater than to be able to step on the floor and say that we speak for the people of our district; that they have chosen us to come here, as was intended by our Founders.

Mr. Speaker, 245 years ago, in an act of daring that would redefine the world, our Founders—imagine the courage they had—declared their independence from an oppressive monarch. They said: ''We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness.'' The pursuit of happiness was written into the founding document.

And they continued:

> Whenever any form of government becomes destructive of these ends, it is the people's duty to throw off such government, to provide new guards for their future security.

They were speaking about England.

Our Founders would then forge those guards for our own government, the democratic institutions enshrined in the Constitution which, for nearly 2-1/2 centuries, have safeguarded the security and well-being of the American people.

But, disturbingly, the last administration saw our democracy in crisis, with a rogue President who trampled over the guardrails protecting our Republic.

Now, Congress has the solemn responsibility and opportunity to safeguard our democracy, ensuring that past abuses can never be perpetrated by any President, of any party.

The Protecting Our Democracy Act ensures the strength and survival of a democracy of, by, and for the people, defending the rule of law, revitalizing our system of checks and balances, and restoring our democratic institutions.

Thank you to Chairman ADAM SCHIFF and the chairs of the committees of jurisdiction, Judiciary being one of those, the Committee on Oversight and Reform, another, and many cosponsors for their leadership on this transformative package of democracy reforms which will put in place essential safeguards to prevent any President from abusing the public trust, no matter what his or her party is.

This legislative package is sweeping and future-focused, looking to the future, designed to restate the rule of law now and for generations to come.

Our chairs have crafted a robust reforms package that can stand up to and prevent attempts to undermine our democracy including: The abuse of pardon power, abuse of office for personal enrichment, the solicitation of foreign assistance in our elections, retaliatory attacks on whistleblowers and inspectors general, politicization of the tools of justice, and contempt of Congress' oversight powers on behalf of the American people, including our lawful subpoena power and the power of the purse.

These steps ensure that no one, not even a President, is above the law.

During the Constitutional Convention, one of our Founders, George Mason, asked: ''Shall any man be above justice? Above all shall that man be above it, who can commit the most extensive injustice?''

In his great wisdom, George Mason knew that the injustice committed by the President erodes the rule of law, the very notion, the idea of fair justice, which is the bedrock of our democracy. And if we allow a President to be above the law, we surely do so to the peril of our Republic.

Addressing Presidential abuse, therefore, goes to the very heart, the very survival of our democracy. We are a democracy; three coequal branches government, each a check and balance on the other that cannot be undermined. Otherwise, we are a monarchy, and that is what we chose not to be.

Let me close by recalling another scene from that Constitutional Convention. On its final day, as our Constitution was adopted, Benjamin Franklin was greeted by folks as he descended the steps from Independence Hall. People know this story. Children in school learn it.

The people asked, what do we have, a republic or a monarchy? Benjamin Franklin responded, ''A republic, if you can keep it.''

This was the vision of our Founders, and we are grateful to them for it. This is what our men and women in uniform defend, freedom, our democracy, and we are grateful to them for it.

This is what we owe our children as we go forward, to meet their aspirations to live in the United States of America, with liberty and justice for all. And we are responsible it.

May we be worthy of the vision of our Founders, the sacrifice of our men and women in uniform, and the aspirations of our children.

The Congress—as Article I, the first branch of government—will uphold our solemn duty to keep our Republic by passing the bill, for the people.

I say this with great appreciation to all who worked so hard to put this together. I support this bipartisan amendment that is on the floor right now, and I thank those who worked together in a bipartisan way to put that forward, and I hope that we can have a successful day for the people, again, honoring our Founders, our men and women in uniform, and for the children.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, the amendments contained in this package will help ensure that the executive branch is accountable to the American people. This package includes amendments that were offered by both Democrats and Republicans.

These amendments bolster the many reforms in the Protecting Our Democracy Act that will protect against future abuses by the executive branch. I urge my colleagues on both sides of the aisle to vote ''yes'' on this package of amendments, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. TONKO). Pursuant to House Resolution 838, the previous question is ordered on the amendments en bloc offered by the gentlewoman from New York (Mrs. CAROLYN B. MALONEY).

The question is on the amendments en bloc.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. COMER. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

AMENDMENTS EN BLOC NO. 2 OFFERED BY MRS. CAROLYN B. MALONEY OF NEW YORK

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, pursuant to House Resolution 838, I offer amendments en bloc.

The SPEAKER pro tempore. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 2 consisting of amendment Nos. 3 and 7, printed in part B of House Report 117–205, offered by Mrs. CAROLYN B. MALONEY of New York:

AMENDMENT NO. 3 OFFERED BY MR. BURGESS OF TEXAS

Strike title II.

AMENDMENT NO. 7 OFFERED BY MR. COMER OF KENTUCKY

Page 1, strike line 1 and all that follows and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Inspector General Stability Act''.

SEC. 2. REMOVAL OR TRANSFER OF INSPECTORS GENERAL; PLACEMENT ON NON-DUTY STATUS.

(a) IN GENERAL.—The Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in section 3(b)—

(A) by inserting ''(1)(A)'' after ''(b)'';

(B) in paragraph (1), as so designated—

(i) in subparagraph (A), as so designated, in the second sentence—

(I) by striking ''reasons'' and inserting the following: ''substantive rationale, including detailed and case-specific reasons,''; and

(II) by inserting ''(including to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Reform of the House of Representatives, and any other congressional committee that has jurisdiction with respect to that Inspector General)'' after ''Houses of Congress''; and

(ii) by adding at the end the following:

''(B) If there is an open or completed inquiry into an Inspector General that relates to the removal or transfer of the Inspector General under subparagraph (A), the written communication required under that subparagraph shall—

''(i) identify each entity that is conducting, or that conducted, the inquiry; and

''(ii) in the case of a completed inquiry, contain the findings made during the inquiry.''; and

(C) by adding at the end the following:

''(2)(A) Subject to the other provisions of this paragraph, only the President may place an Inspector General on non-duty status.

''(B) If the President places an Inspector General on non-duty status, the President shall communicate in writing the substantive rationale, including detailed and case-specific reasons, for the change in status to both Houses of Congress (including to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Reform of the House of Representatives, and any other congressional committee that has jurisdiction with respect to that Inspector General) not later than 15 days before the date on which the change in status takes effect, except that the President may submit that communication on the date on which the change in status takes effect if—

''(i) the President has made a determination that the continued presence of the Inspector General in the workplace poses a threat described in any of clauses (i) through (iv) of section 6329b(b)(2)(A) of title 5, United States Code; and

''(ii) in the communication, the President includes a report on the determination described in clause (i), which shall include—

''(I) a specification of which clause of section 6329b(b)(2)(A) of title 5, United States Code, the President has determined applies under clause (i) of this subparagraph;

''(II) the substantive rationale, including detailed and case-specific reasons, for the determination made under clause (i);

''(III) an identification of each entity that is conducting, or that conducted, any inquiry upon which the determination under clause (i) was made; and

''(IV) in the case of an inquiry described in subclause (III) that is completed, the findings made during that inquiry.

''(C) The President may not place an Inspector General on non-duty status during the 30-day period preceding the date on which the Inspector General is removed or transferred under paragraph (1)(A) unless the President—

''(i) has made a determination that the continued presence of the Inspector General in the workplace poses a threat described in any of clauses (i) through (iv) of section 6329b(b)(2)(A) of title 5, United States Code; and

''(ii) not later than the date on which the change in status takes effect, submits to both Houses of Congress (including to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Reform of the House of Representatives, and any other congressional committee that has jurisdiction with respect to that Inspector General) a written communication that contains the information required under subparagraph (B), including the report required under clause (ii) of that subparagraph.

''(D) For the purposes of this paragraph—

''(i) the term 'Inspector General'—

''(I) means an Inspector General who was appointed by the President, without regard to whether the Senate provided advice and consent with respect to that appointment; and

''(II) includes the Inspector General of an establishment, the Special Inspector General for Afghanistan Reconstruction, the Special Inspector General for the Troubled Asset Relief Program, and the Special Inspector General for Pandemic Recovery; and

''(ii) a reference to the removal or transfer of an Inspector General under paragraph (1), or to the written communication described in that paragraph, shall be considered to be—

''(I) in the case of the Special Inspector General for Afghanistan Reconstruction, a reference to section 1229(c)(6) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 379);

''(II) in the case of the Special Inspector General for the Troubled Asset Relief Program, a reference to section 121(b)(4) of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5231(b)(4)); and

''(III) in the case of the Special Inspector General for Pandemic Recovery, a reference to section 4018(b)(3) of the CARES Act (15 U.S.C. 9053(b)(3)).''; and

(2) in section 8G(e)—

(A) in paragraph (1), by inserting ''or placement on non-duty status'' after ''a removal'';

(B) in paragraph (2)—

(i) by inserting ''(A)'' after ''(2)'';

(ii) in subparagraph (A), as so designated, in the first sentence—

(I) by striking ''reasons'' and inserting the following: ''substantive rationale, including detailed and case-specific reasons,''; and

(II) by inserting ''(including to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Reform of the House of Representatives, and any other congressional committee that has jurisdiction with respect to that Inspector General)'' after ''Houses of Congress''; and

(iii) by adding at the end the following:

''(B) If there is an open or completed inquiry into an Inspector General that relates to the removal or transfer of the Inspector General under subparagraph (A), the written communication required under that subparagraph shall—

''(i) identify each entity that is conducting, or that conducted, the inquiry; and

''(ii) in the case of a completed inquiry, contain the findings made during the inquiry.''; and

(C) by adding at the end the following:

''(3)(A) Subject to the other provisions of this paragraph, only the head of the applicable designated Federal entity (referred to in this paragraph as the 'covered official') may place an Inspector General on non-duty status.

''(B) If a covered official places an Inspector General on non-duty status, the covered official shall communicate in writing the substantive rationale, including detailed and case-specific reasons, for the change in status to both Houses of Congress (including to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Reform of the House of Representatives, and any other congressional committee that has jurisdiction with respect to that Inspector General) not later than 15 days before the date on which the change in status takes effect, except that the covered official may submit that communication on the date on which the change in status takes effect if—

''(i) the covered official has made a determination that the continued presence of the Inspector General in the workplace poses a threat described in any of clauses (i) through (iv) of section 6329b(b)(2)(A) of title 5, United States Code; and

''(ii) in the communication, the covered official includes a report on the determination described in clause (i), which shall include—

''(I) a specification of which clause of section 6329b(b)(2)(A) of title 5, United States Code, the covered official has determined applies under clause (i) of this subparagraph;

''(II) the substantive rationale, including detailed and case-specific reasons, for the determination made under clause (i);

''(III) an identification of each entity that is conducting, or that conducted, any inquiry upon which the determination under clause (i) was made; and

''(IV) in the case of an inquiry described in subclause (III) that is completed, the findings made during that inquiry.

''(C) A covered official may not place an Inspector General on non-duty status during the 30-day period preceding the date on which the Inspector General is removed or transferred under paragraph (2)(A) unless the covered official—

''(i) has made a determination that the continued presence of the Inspector General in the workplace poses a threat described in any of clauses (i) through (iv) of section 6329b(b)(2)(A) of title 5, United States Code; and

''(ii) not later than the date on which the change in status takes effect, submits to both Houses of Congress (including to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Reform of the House of Representatives, and any other congressional committee that has jurisdiction with respect to that Inspector General) a written communication that contains the information required under subparagraph (B), including the report required under clause (ii) of that subparagraph.

''(D) Nothing in this paragraph may be construed to limit or otherwise modify—

''(i) any statutory protection that is afforded to an Inspector General; or

''(ii) any other action that a covered official may take under law with respect to an Inspector General.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Section 12(3) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by inserting ''except as otherwise expressly provided,'' before ''the term''.

SEC. 3. CHANGE IN STATUS OF INSPECTOR GENERAL OFFICES.

(a) CHANGE IN STATUS OF INSPECTOR GENERAL OF OFFICE.—Paragraph (1) of section 3(b) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) by inserting '', is placed on paid or unpaid non-duty status,'' after ''is removed from office'';

(2) by inserting '', change in status,'' after ''any such removal''; and

(3) by inserting '', change in status,'' after ''before the removal''.

(b) CHANGE IN STATUS OF INSPECTOR GENERAL OF DESIGNATED FEDERAL ENTITY.—Section 8G(e)(2) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) by inserting '', is placed on paid or unpaid non-duty status,'' after ''office'';

(2) by inserting '', change in status,'' after ''any such removal''; and

(3) by inserting '', change in status,'' after ''before the removal''.

(c) EXCEPTION TO REQUIREMENT TO SUBMIT COMMUNICATION RELATING TO CERTAIN CHANGES IN STATUS.—

(1) COMMUNICATION RELATING TO CHANGE IN STATUS OF INSPECTOR GENERAL OF OFFICE.—Section 3(b) of the Inspector General Act of 1978 (5 U.S.C. App.), as amended by section 2(1), is further amended—

(A) in paragraph (1), by striking ''If'' and inserting ''Except as provided in paragraph (4), if''; and

(B) by adding at the end the following:

''(4) If an Inspector General is placed on paid or unpaid non-duty status, the President may submit the communication described in paragraph (1) to Congress later than 30 days before the Inspector General is placed on paid or unpaid non-duty status, but in any case not later than the date on which the placement takes effect, if—

''(A) the President determines that a delay in placing the Inspector General on paid or unpaid non-duty status would—

''(i) pose a threat to the Inspector General or others;

''(ii) result in the destruction of evidence relevant to an investigation; or

''(iii) result in loss of or damage to Government property;

''(B) in the communication, the President includes—

''(i) a specification of which clause the President relied on to make the determination under subparagraph (A);

''(ii) the substantive rationale, including detailed and case-specific reasons, for such determination;

''(iii) if the President relied on an inquiry to make such determination, an identification of each entity that is conducting, or that conducted, such inquiry; and

''(iv) if an inquiry described in clause (iii) is completed, the findings of that inquiry.

''(5) The President may not place an Inspector General on paid or unpaid non-duty status during the 30-day period preceding the date on which the Inspector General is removed or transferred under paragraph (1) unless the President—

''(A) determines that not placing the Inspector General on paid or unpaid non-duty status would—

''(i) pose a threat to the Inspector General or others;

''(ii) result in the destruction of evidence relevant to an investigation; or

''(iii) result in loss of or damage to Government property; and

''(B) on or before the date on which the placement takes effect, submits to the Committee in the House of Representatives and the Committee in the Senate that has jurisdiction over the Inspector General involved, the Committee on Oversight and Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate, a written communication that contains the following information—

''(i) a specification of which clause under subparagraph (A) the President relied on to make the determination under such subparagraph;

''(ii) the substantive rationale, including detailed and case-specific reasons, for such determination;

''(iii) if the President relied on an inquiry to make such determination, an identification of each entity that is conducting, or that conducted, such inquiry; and

''(iv) if an inquiry described in clause (iii) is completed, the findings of that inquiry.''.

(2) COMMUNICATION RELATING TO CHANGE IN STATUS OF INSPECTOR GENERAL OF DESIGNATED FEDERAL ENTITY.—Section 8G(e) of the Inspector General Act Inspector General Act of 1978 (5 U.S.C. App.), as amended by section 2(2), is further amended—

(A) in paragraph (2), by striking ''If'' and inserting ''Except as provided in paragraph (4), if''; and

(B) by adding at the end the following:

''(4) If an Inspector General is placed on paid or unpaid non-duty status, the head of a designated Federal entity may submit the communication described in paragraph (2) to Congress later than 30 days before the Inspector General is placed on paid or unpaid non-duty status, but in any case not later than the date on which the placement takes effect, if—

''(A) the head determines that a delay in placing the Inspector General on paid or unpaid non-duty status would—

''(i) pose a threat to the Inspector General or others;

''(ii) result in the destruction of evidence relevant to an investigation; or

''(iii) result in loss of or damage to Government property;

''(B) in the communication, the head includes—

''(i) a specification of which clause under subparagraph (A) the head relied on to make the determination under such subparagraph;

''(ii) the substantive rationale, including detailed and case-specific reasons, for such determination;

''(iii) if the head relied on an inquiry to make such determination, an identification of each entity that is conducting, or that conducted, such inquiry; and

''(iv) if an inquiry described in clause (iii) is completed, the findings of that inquiry.

''(5) The head may not place an Inspector General on paid or unpaid non-duty status during the 30-day period preceding the date on which the Inspector General is removed or transferred under paragraph (2) unless the head—

''(A) determines that not placing the Inspector General on paid or unpaid non-duty status would—

''(i) pose a threat to the Inspector General or others;

''(ii) result in the destruction of evidence relevant to an investigation; or

''(iii) result in loss of or damage to Government property; and

''(B) on or before the date on which the placement takes effect, submits to the Committee in the House of Representatives and the Committee in the Senate that has jurisdiction over the Inspector General involved, the Committee on Oversight and Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate, a written communication that contains the following information—

''(i) a specification of which clause under subparagraph (A) the head relied on to make the determination under such subparagraph;

''(ii) the substantive rationale, including detailed and case-specific reasons, for such determination;

''(iii) if the head relied on an inquiry to make such determination, an identification of each entity that is conducting, or that conducted, such inquiry; and

''(iv) if an inquiry described in clause (iii) is completed, the findings of that inquiry.''.

(d) APPLICATION.—The amendments made by this section shall apply with respect to removals, transfers, and changes of status occurring on or after the date that is 30 days after the date of the enactment of this Act.

SEC. 4. PRESIDENTIAL EXPLANATION OF FAILURE TO NOMINATE AN INSPECTOR GENERAL.

(a) IN GENERAL.—Subchapter III of chapter 33 of title 5, United States Code, is amended by inserting after section 3349d the following new section:

''§ 3349e. Presidential explanation of failure to nominate an Inspector General

''If the President fails to make a formal nomination for a vacant Inspector General position that requires a formal nomination by the President to be filled within the period beginning on the date on which the vacancy occurred and ending on the day that is 210 days after that date, the President shall communicate, within 30 days after the end of such period, to Congress in writing—

''(1) the reasons why the President has not yet made a formal nomination; and

''(2) a target date for making a formal nomination.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 33 of title 5, United States Code, is amended by inserting after the item relating to 3349d the following new item:

''3349e. Presidential explanation of failure to nominate an Inspector General.''.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to any vacancy first occurring on or after that date.

The SPEAKER pro tempore. Pursuant to House Resolution 838, the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) and the gentleman from Kentucky (Mr. COMER) each will control 10 minutes.

The Chair recognizes the gentlewoman from New York.

□ 1415

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I rise in opposition to these amendments.

Together, these amendments would gut the bill and strike everything in this important package of reforms.

The Protecting Our Democracy Act would make the government more transparent and accountable to the American people.

Provisions in this bill have been supported by both Democrats and Republicans. For example, my Whistleblower Protection Improvement Act in Title VII is a bipartisan bill. Many of the reforms in this bill stem from efforts by prior administrations of both parties to enhance executive power.

Democrats and Republicans in Congress should unite in reasserting congressional authority.

Representative BURGESS' amendment would strike important reforms in the bill which would ensure that Presidents and Vice Presidents can be held accountable for criminal conduct just like every other American.

Representative COMER's amendment would strike every section of the bill, including reforms to strengthen whistleblower laws that encourage Federal employees to report government waste, fraud, and abuse.

The amendment would strike protections against Federal agencies' misuse of government funds. The amendment would strike the provision in the bill that would require the President and Vice President to disclose their tax returns.

The sponsor of this amendment, Representative COMER, said at the Rules Committee recently, just 2 days ago, that he supports that very reform. Yet, his amendment would remove it from the bill.

These amendments are not a serious attempt at addressing the protections in this bill. They are simply a messaging tool that will gut the Protecting Our Democracy Act.

My colleagues from across the aisle continue to claim that this bill is about punishing former President Trump. But Joe Biden is our President now, and these bold, good-government reforms will impact his administration as well as future Presidents of both parties.

It is not about the past. It is about the future and the strengthening of our democracy. I strongly urge a ''no'' vote on this package of amendments, and I reserve the balance of my time.

Mr. COMER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise to support the amendments en bloc.

In this package is my amendment, the IG Stability Act, which clearly shows where we should be able to come together and pass bipartisan inspector general reforms.

Inspectors general play a critical role in rooting out fraud, waste, and abuse in the Federal Government. They help Congress, and especially the House Committee on Oversight and Reform, in conducting oversight of executive branch offices and Federal agencies.

Yet, just like in every profession, occasionally there have been either poor performers or those who have acted outside their mandates. With respect to poor performers, we had, in my opinion, a very poor performing Election Assistance Commission IG, and she resigned after we started calling for her to do her job. In those situations, the President should have the flexibility to remove an inspector general.

The Democrats' proposal would dramatically limit the President's authority to remove an inspector general for dereliction of duty or undermining the policies of a duly elected President.

My amendment mirrors bipartisan language in the Senate which requires a detailed rationale to be provided to Congress prior to the removal of an IG. This ensures Congress has adequate oversight of the removal of an IG without preventing a President from removing an IG who is undermining them.

Further, my amendment would help remedy the ongoing concern about IG vacancies, which has been a recurring problem in Republican and Democrat administrations. My amendment requires the President to notify Congress if they fail to fill a vacancy and provide a written explanation with a target date for nomination.

This amendment ensures that the IG community is adequately staffed to conduct nonpartisan oversight over Federal agencies.

This provision has already passed the House this year as part of the bipartisan Inspector General Protection Act, H.R. 23. Yet, the Democrats are now putting this commonsense, bipartisan amendment in an en bloc designed to fail. Why? They are not interested in real reform; they are just interested in messaging, messaging campaigns for the 2022 midterm elections, which by all accounts aren't looking very bright for my friends across the aisle.

This amendment and Mr. BURGESS' amendment should be accepted, not shoved aside. I encourage support of

this amendment, and I reserve the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. NADLER), the distinguished chair of the Committee on the Judiciary.

Mr. NADLER. Mr. Speaker, I rise in strong opposition to this en bloc amendment, and particularly to the Burgess amendment.

The Burgess amendment would strike one of the most important provisions in the bill, one that ensures that a sitting President or Vice President can be held accountable for their actions, just like every other American.

This provision is necessary in order to close a dangerous loophole in the law created by DOJ policy, most recently embodied in the legal opinion by the Office of Legal Counsel, which holds that a President cannot be criminally prosecuted during his or her term in office.

Under current law, throughout the entire period that a President is presumed by some to be immune from prosecution, the statute of limitations continues to run on any offenses he or she may have committed. Since most Federal criminal offenses carry a 5-year statute of limitations, a President who is not prosecuted while in office for a crime he or she may have committed could end up evading justice altogether if the statute of limitations runs out before their term is over, particularly if they are elected to a second term.

Allowing complete immunity from criminal prosecution merely because of the office a person holds would make a mockery of the rule of law. It is a maxim of our system of justice that no man is immune from the law, that no man can be a judge in his own case.

Statutes of limitations are an important element of criminal law. As a general matter, they provide a necessary balance between protecting defendants from delay and allowing prosecutors adequate time to investigate and charge cases. But the law has also long recognized that certain limited exceptions to this general rule are necessary. The case of a sitting President, whose prosecution is barred under Justice Department policy, fits comfortably among such exceptions.

It is necessary, therefore, to simply pause the statute of limitations to ensure that the Presidency is not a get-out-of-jail-free card. We must not strike this essential provision, because every person, no matter his or her title or office, must be held accountable under our laws.

I urge strong opposition to this amendment.

Mr. Speaker, I want to mention one other thing. We have heard our friends across the aisle talk about Donald Trump, and they say that former President Trump did nothing wrong. Democrats, by and large, say he did a lot of things wrong. But that is irrelevant to this debate.

This bill has nothing to do with President Trump any more than the post-Watergate reforms had to do with Richard Nixon. Richard Nixon's conduct taught us certain lessons, and Donald Trump's conduct taught us certain lessons. The legislation before us is the result of those lessons.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mrs. CAROLYN B. MALONEY of New York. I yield as much time as he may consume to the gentleman.

Mr. NADLER. Mr. Speaker, those lessons are for us to use to protect the future. That is what this legislation is about, to protect the future from a President, of any party, who may violate the law, who may aggrandize power. That is what this is about: the future, not the past.

So when I hear our Republican friends talk about Donald Trump and talk about how he wasn't convicted, et cetera, it is irrelevant. We are talking about the future, not the past. For the future, it is necessary to pass this bill, and for the future, it is necessary to defeat this en bloc amendment.

Mr. COMER. Mr. Speaker, again, they say it is not about Donald Trump, but every speaker on that side of the aisle spent a significant percentage of their time talking about Donald Trump.

Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. BURGESS).

Mr. BURGESS. Mr. Speaker, I do intend to speak on my amendment to H.R. 5314, but I do have to reference the remarks recently made by the Democratic Speaker of the House on her testimony.

Look, it is no news flash that Democrats dislike the former President. Democrats dislike President Trump. The news flash is they really fear the former President, and that is what this legislation is all about, because their fear is so intense and so overreaching and so preoccupying in their lives, they can think of nothing else.

I do want to thank my friend from Kentucky for including me in this en bloc discussion. I think the amendments that Mr. COMER and I are offering are an important addition to this bill, the so-called Protecting Our Democracy Act.

Title II of this bill extends the statute of limitations for offenses allegedly committed by a sitting President or a Vice President for the duration of their tenure and any period of time preceding their tenure in office. While we can agree with the title of the section, ''No President is Above the Law,'' this section further sets our President and Vice President apart.

Under current law, elected officials, President and Vice President, may be investigated for alleged commissions of crimes, and any information can then be brought before Congress where Congress can then choose to remove that official from office via impeachment.

We know how facile our Democratic majority has been with the tool of impeachment in the past 2 years. If impeached and removed from office, that individual, the President or Vice President, would then be open to prosecution to the fullest extent of the law, well within the statute of limitations, just like every other American.

Additionally, Title II is very likely unconstitutional, as the Sixth Amendment's speedy trial clause protects the accused against unreasonable delays between an indictment and a trial. Extending the statute of limitations in Title II of this bill would only further politicize the Presidency and Vice Presidency, further politicize the impeachment process, which the Democrats have elevated to a high art, and make holders of those offices the targets of politically motivated investigations during and after their terms.

For those reasons, I urge support of this amendment and support of Mr. COMER's amendment.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I am prepared to close, and I reserve the balance of my time.

Mr. COMER. Mr. Speaker, I yield back the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield myself such time as I may consume for closing.

The underlying bill is about the future, the future of our democracy. It is about strengthening our democracy. These amendments would gut the underlying bill, the Protecting Our Democracy Act.

I support the bill, because it includes reforms, such as curbing the abuse of the pardon power, increasing penalties for political appointees who violate the Hatch Act, strengthening whistleblower protections and IG protections, and it would require the President and Vice President to reveal their taxes, among other reforms.

Mr. Speaker, I urge my colleagues to vote ''no'' on this package of amendments, and I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 838, the previous question is ordered on the amendments en bloc offered by the gentlewoman from New York (Mrs. CAROLYN B. MALONEY).

The question is on the amendments en bloc.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. COMER. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

□ 1430

AMENDMENT NO. 25 OFFERED BY MS. OCASIO-CORTEZ

The SPEAKER pro tempore. It is now in order to consider amendment No. 25 printed in part B of House Report 117–205.

Ms. OCASIO-CORTEZ. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle B of title VIII add the following:

SEC. 814. GOVERNMENT ACCOUNTABILITY OFFICE AUDITS AND INVESTIGATIONS.

(a) AMENDMENT.—Title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) is amended by adding at the end the following new section:

"SEC. 513. GOVERNMENT ACCOUNTABILITY OFFICE ANALYSES, EVALUATIONS, AND INVESTIGATIONS.

''(a) IN GENERAL.—The Director of National Intelligence shall, to the extent consistent with due regard for the protection from unauthorized disclosure of classified information relating to sensitive intelligence sources and methods, ensure that personnel of the Government Accountability Office designated by the Comptroller General are provided with access to all information in the possession of an element of the intelligence community that the Comptroller General determines is necessary for such personnel to conduct an analysis, evaluation, or investigation of a program or activity of an element of the intelligence community that is requested by a committee of Congress with jurisdiction over such program or activity.

''(b) CONFIDENTIALITY.—(1) The Comptroller General shall maintain the same level of confidentiality for information made available for an analysis, evaluation, or investigation referred to in subsection (a) as is required of the head of the element of the intelligence community from which such information is obtained. Officers and employees of the Government Accountability Office are subject to the same statutory penalties for unauthorized disclosure or use of such information as officers or employees of the element of the intelligence community that provided the Comptroller General or officers and employees of the Government Accountability Office with access to such information.

''(2) The Comptroller General shall establish procedures to protect from unauthorized disclosure all classified and other sensitive information furnished to the Comptroller General or any representative of the Comptroller General for conducting an analysis, evaluation, or investigation referred to in subsection (a). Such procedures shall be established in consultation with the Director of National Intelligence and the congressional intelligence committees.

''(3) Before initiating an analysis, evaluation, or investigation referred to in subsection (a), the Comptroller General shall provide the Director of National Intelligence and the head of each relevant element of the intelligence community with the name of each officer and employee of the Government Accountability Office who has obtained appropriate security clearance and to whom, upon proper identification, records and information of the element of the intelligence community shall be made available in conducting such analysis, evaluation, or investigation.

''(4) Any analysis, evaluation, or report prepared pursuant to this provision shall be unclassified but may include a classified annex, which shall be submitted to the congressional intelligence committees and, consistent with the protection of intelligence sources and methods, to the requesting committee with jurisdiction over the program or activity that is the subject of the report.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of the National Security Act of 1947 is amended by inserting after the item relating to section 512 the following new item:

''Sec. 513. Government Accountability Office analyses, evaluations, and investigations.''.

The SPEAKER pro tempore. Pursuant to House Resolution 838, the gentlewoman from New York (Ms. OCASIO-CORTEZ) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Ms. OCASIO-CORTEZ. Mr. Speaker, since its creation in 1921, the Government Accountability Office has had the purview to conduct oversight of all Federal agencies with the goal of reducing waste, fraud, and abuse and holding accountable bad actors.

However, and unfortunately, most of our intelligence agencies today are not fully cooperative with the GAO, pointing to an outdated and vague 1988 Department of Justice opinion.

My amendment would allow the GAO to act as a check on this behavior—not creating new powers, but restoring the power Congress always intended the GAO to have.

This amendment is welcomed by many in the intelligence community who want to protect their important work and resources from abuse, particularly after the last Presidency we just endured.

This amendment was drafted in partnership with the community, and I am proud to have the support of Representative ADAM SCHIFF, who serves as the chairman of the House Permanent Select Committee on Intelligence. In fact, many of my colleagues have already taken a stand in support of this legislation because, in 2010, the House passed a virtually identical amendment.

Mr. Speaker, I reserve the balance of my time.

Mr. COMER. Mr. Speaker, I rise in opposition to this amendment.

The SPEAKER pro tempore. The gentleman from Kentucky is recognized for 5 minutes.

Mr. COMER. Mr. Speaker, I must say that the GAO plays an important role in the legislative branch, but with matters of national security, we must ensure protocols are followed to prevent unauthorized disclosures of national security information. With this amendment, it is unclear whether those protocols are being met, creating a potential national security risk.

Further, the House Intelligence Committee already has the authority to task GAO, when necessary and appropriate, to conduct reviews of the intelligence community and to ensure GAO receives appropriate information from the intelligence community. The House Intelligence Committee has done this several times in the past, making this amendment moot.

Again, this is why we needed to go through regular order on the various bills stitched together in the underlying bill. The committees need to have an opportunity to vet bills, including amendments such as these, before they come to the floor of the House. That is how we ensure good bills are passed.

Mr. Speaker, I reserve the balance of my time.

Ms. OCASIO-CORTEZ. Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY), the chairwoman of the House Oversight Committee.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I rise in support of this amendment and thank the gentlewoman from New York (Ms. OCASIO-CORTEZ) for her leadership in offering it. This amendment would clarify the Government Accountability Office's authority to investigate the intelligence community.

As Congress' watchdog, GAO helps to improve Federal Government performance and ensure accountability for the American people. GAO has the tools and expertise to ensure that classified information is treated with appropriate care and confidentiality. They have been doing that for decades.

For example, as part of its audit work, GAO is authorized to examine highly sensitive tax return information. Strict protocols are followed to protect that information while still enabling GAO to carry out its important legislative and oversight responsibilities.

This amendment includes important safeguards to balance the protection of sensitive information with the need for oversight of the intelligence community.

Mr. Speaker, I urge a strong ''yes'' vote on this amendment.

Mr. COMER. Mr. Speaker, I reserve the balance of my time.

Ms. OCASIO-CORTEZ. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. SCHIFF), the chairman of the House Intelligence Committee.

Mr. SCHIFF. Mr. Speaker, I rise in support of Representative OCASIO-CORTEZ's amendment.

The GAO's expertise and technical capacity are critical to Congress' oversight. This amendment by the gentlewoman from New York (Ms. OCASIO-CORTEZ) gives GAO access to important information in the IC's possession that is necessary for the conduct of GAO's responsibilities while also ensuring the protection of sensitive sources and methods. It strikes the right balance between security, transparency, and needed oversight.

It also imposes confidentiality restrictions; clarifies that GAO officers and employees, like their IC colleagues, are subject to penalties for unauthorized disclosure; and requires the Comptroller General to consult with the Director of National Intelligence to establish protections against such unauthorized disclosures.

In sum, the amendment will enhance congressional oversight of the IC in a manner that protects our national security. I want to thank my colleague for offering it. I urge a ''yes'' vote.

Mr. COMER. Mr. Speaker, every time Chairman SCHIFF rises to speak on a bill about intelligence and security and holding the President accountable, I get excited, hoping that we are going to hear about that evidence of collusion and all the other investigations that were conducted in this House over the past year.

Mr. SCHIFF. Will the gentleman yield?

Mr. COMER. I yield to the gentleman from California.

Mr. SCHIFF. Let me ask the gentleman, are you aware, just by way of illustration, that the President's campaign chairman, Paul Manafort, secretly met with an agent of Russian intelligence and provided Russian intelligence with internal campaign polling data as well as strategic insights about their strategy in key battleground States? Are you aware of that?

Mr. COMER. I think everyone is aware of every bit of information that you all have tried to peddle over the past 4 years.

Mr. SCHIFF. Let me ask you, are you aware, while the Trump campaign chairman was providing internal polling data, that Kremlin intelligence was leading a clandestine social media campaign to elect Donald Trump? Are you aware of that?

Mr. COMER. I think we see every day. Facebook just announced that Russia was trying to do a Facebook campaign in Ukraine, if I remember reading that correctly.

Mr. SCHIFF, would you yield to a question from me?

Mr. SCHIFF. Would you like me to go on?

Mr. COMER. Would you yield to a question?

Mr. SCHIFF. Well, I am asking you. You asked me to present you with some of the information.

Mr. COMER. I think it is great. Are you aware of President Biden's son Hunter's art dealings?

Mr. SCHIFF. If you would like me to continue.

Mr. COMER. Are you aware of the President's son's dealings in Congo with the cobalt mine? Are you aware of the dealings in Ukraine?

Mr. SCHIFF. To get to the gentleman's question, I am aware of President Trump's son meeting secretly in Trump Tower in New York with the Russian delegation with the purpose of receiving dirt on Hillary Clinton, which the Russian delegation represented was part of the Russian Government's effort to help elect Donald Trump in 2016.

I am aware that Donald Trump, Jr., said in response to that Russian offer of dirt on Donald Trump's opponent that he would ''love it,'' suggested the best time would be in late summer, and had a secret meeting in Trump Tower. When asked about that secret meeting, both the President and his son lied about it. Are you aware of those facts?

Mr. COMER. I think that everyone has seen all the information, again, that you all have peddled. I am curious if you would like to take a wager on which President's child, which President's son, at the end of the day, once we have the gavel, will be the greatest security risk to our Nation, Hunter Biden or—

Mr. SCHIFF. I am happy to continue to outline the contacts between the Trump campaign and Russia, their solicitation of Russian help in the election, the former President's effort to coerce Ukraine into helping him cheat in the election. I would be happy to go chapter and verse if you would like me to use your time that way.

Right now, though, the subject of this amendment is to allow the General Accountability Office, the GAO, to help Congress oversee aspects of the intelligence community, but if you are more interested—

Mr. COMER. I reclaim my time. They spent a lot of time, a lot of time, a lot of effort, a lot of tax dollars on trying to peddle a lot of wrongdoing in the previous administration.

This bill is all about the previous administration. Every speaker on their side of the aisle has mentioned Donald Trump's name numerous times, every speaker. It is time for the majority party to focus on governing and get over their obsession with Donald Trump.

Mr. Speaker, I yield back the balance of my time.

Ms. OCASIO-CORTEZ. Mr. Speaker, overall, the Protecting Our Democracy Act will do much to address the weaknesses that were exposed in light of the last administration and exploited during President Trump's Presidency.

I am proud to have four other amendments being included today that address nepotism, codify the Biden ethics pledge, and regulate defense funds as well as inaugural committees. I hope my colleagues will also see the value in protecting our Intelligence Committees from abuse and vote to include this amendment in the POD Act.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 838, the previous question is ordered on the amendment offered by the gentlewoman from New York (Ms. OCASIO-CORTEZ).

The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appear to have it.

Mr. COMER. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Proceedings will resume on questions related to H.R. 5314 previously postponed.

Votes will be taken in the following order:

Amendments en bloc No. 1;

Amendments en bloc No. 2;

Amendment No. 25;

A motion to recommit, if offered;

The question on passage of the bill, if ordered.

The first electronic vote will be conducted as a 15-minute vote. Pursuant to clause 9 of rule XX, remaining electronic votes will be conducted as 5-minute votes.

AMENDMENTS EN BLOC NO. 1 OFFERED BY MRS. CAROLYN B. MALONEY OF NEW YORK

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on the adoption of amendments en bloc No. 1, printed in part B of House Report 117–205, on which further proceedings were postponed and on which the yeas and nays were ordered.

The Clerk will redesignate the amendments en bloc.

The Clerk redesignated the amendments en bloc.

The SPEAKER pro tempore. The question is on the amendments en bloc offered by the gentlewoman from New York (Mrs. CAROLYN B. MALONEY).

The vote was taken by electronic device, and there were—yeas 218, nays 211, not voting 4, as follows:

[Roll No. 436]

YEAS—218

Adams	DelBene	Langevin
Aguilar	Delgado	Larsen (WA)
Allred	Demings	Larson (CT)
Auchincloss	DeSaulnier	Lawrence
Axne	Deutch	Lawson (FL)
Barragán	Dingell	Lee (CA)
Bass	Doggett	Lee (NV)
Beatty	Doyle, Michael F.	Leger Fernandez
Bera	Escobar	Levin (CA)
Beyer	Eshoo	Levin (MI)
Bishop (GA)	Espaillat	Lieu
Blumenauer	Evans	Lofgren
Blunt Rochester	Fletcher	Lowenthal
Bonamici	Foster	Luria
Bourdeaux	Frankel, Lois	Lynch
Bowman	Gallego	Malinowski
Boyle, Brendan F.	Garamendi	Maloney, Carolyn B.
Brown (MD)	Garcia (IL)	Maloney, Sean
Brown (OH)	Garcia (TX)	Manning
Brownley	Golden	Matsui
Bush	Gomez	McBath
Bustos	Gonzalez, Vicente	McCollum
Butterfield	Gottheimer	McEachin
Carbajal	Green, Al (TX)	McGovern
Cárdenas	Grijalva	McNerney
Carson	Harder (CA)	Meeks
Carter (LA)	Hayes	Meng
Cartwright	Higgins (NY)	Mfume
Case	Himes	Moore (WI)
Casten	Horsford	Morelle
Castor (FL)	Houlahan	Moulton
Castro (TX)	Hoyer	Mrvan
Chu	Huffman	Nadler
Cicilline	Jackson Lee	Napolitano
Clark (MA)	Jacobs (CA)	Neal
Clarke (NY)	Jayapal	Neguse
Cleaver	Jeffries	Newman
Clyburn	Johnson (GA)	Norcross
Cohen	Johnson (TX)	O'Halleran
Connolly	Jones	Ocasio-Cortez
Cooper	Kahele	Omar
Correa	Kaptur	Pallone
Costa	Keating	Panetta
Courtney	Kelly (IL)	Pappas
Craig	Khanna	Pascrell
Crist	Kildee	Payne
Crow	Kilmer	Perlmutter
Cuellar	Kim (NJ)	Peters
Davids (KS)	Kind	Phillips
Davis, Danny K.	Kirkpatrick	Pingree
Dean	Krishnamoorthi	Pocan
DeFazio	Kuster	Porter
DeGette	Lamb	Pressley
DeLauro		Price (NC)

Quigley
Raskin
Rice (NY)
Ross
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Sewell
Sherman
Sherrill
Sires
Smith (WA)
Soto
Spanberger
Speier
Stansbury
Stanton
Stevens
Strickland
Suozzi
Swalwell
Takano
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Underwood
Vargas
Veasey
Vela
Velázquez
Wasserman Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Williams (GA)
Wilson (FL)
Yarmuth

NAYS—211

Aderholt
Allen
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bentz
Bergman
Bice (OK)
Biggs
Bilirakis
Bishop (NC)
Boebert
Bost
Brady
Brooks
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Calvert
Cammack
Carey
Carl
Carter (GA)
Carter (TX)
Cawthorn
Chabot
Cheney
Cline
Cloud
Clyde
Cole
Comer
Crawford
Crenshaw
Curtis
Davidson
Davis, Rodney
DesJarlais
Diaz-Balart
Donalds
Duncan
Dunn
Ellzey
Emmer
Estes
Fallon
Feenstra
Ferguson
Fischbach
Fitzgerald
Fitzpatrick
Fleischmann
Fortenberry
Foxx
Franklin, C. Scott
Fulcher
Gaetz
Gallagher
Garbarino
Garcia (CA)
Gibbs
Gimenez
Gonzales, Tony
Gonzalez (OH)
Good (VA)
Gooden (TX)
Gosar
Granger
Graves (LA)
Graves (MO)
Green (TN)
Greene (GA)
Griffith
Grothman
Guest
Guthrie
Hagedorn
Harris
Harshbarger
Hartzler
Hern
Herrell
Herrera Beutler
Hice (GA)
Higgins (LA)
Hill
Hinson
Hollingsworth
Hudson
Huizenga
Issa
Jackson
Jacobs (NY)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Katko
Keller
Kelly (MS)
Kelly (PA)
Kim (CA)
Kinzinger
Kustoff
LaHood
LaMalfa
Lamborn
Latta
LaTurner
Lesko
Letlow
Long
Loudermilk
Lucas
Luetkemeyer
Mace
Malliotakis
Mann
Massie
Mast
McCarthy
McCaul
McClain
McClintock
McHenry
McKinley
Meijer
Meuser
Miller (IL)
Miller (WV)
Miller-Meeks
Moolenaar
Mooney
Moore (AL)
Moore (UT)
Mullin
Murphy (NC)
Nehls
Newhouse
Norman
Nunes
Obernolte
Owens
Palazzo
Palmer
Pence
Perry
Pfluger
Posey
Reed
Rice (SC)
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Rose
Rosendale
Rouzer
Roy
Rutherford
Salazar
Scalise
Schweikert
Scott, Austin
Sessions
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spartz
Stauber
Steel
Stefanik
Steil
Steube
Stewart
Taylor
Tenney
Thompson (PA)
Tiffany
Timmons
Turner
Upton
Valadao
Van Drew
Van Duyne
Wagner
Walberg
Walorski
Waltz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams (TX)
Wilson (SC)
Wittman
Womack
Young
Zeldin

NOT VOTING—4

Gohmert
Murphy (FL)
Reschenthaler
Slotkin

□ 1519

Messrs. LUCAS, WALBERG, and JOYCE of Ohio changed their vote from ''yea'' to ''nay.''

So the en bloc amendments were agreed to.

The result of the vote was announced as above recorded.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Baird (Walorski)
Barragán (Gallego)
Bass (Brownley)
Buchanan (Waltz)
Courtney (Hayes)
Crist (Soto)
Cuellar (Green (TX))
DeFazio (Brown (MD))
Fallon (Gooden)
Fulcher (Johnson (OH))
Garamendi (Sherman)
Granger (Cole)
Guthrie (Barr)
Hagedorn (Carl)
Hice (GA) (Greene (GA))
Higgins (NY) (Connolly)
Huffman (Levin (CA))
Kim (CA) (Pfluger)
Kirkpatrick (Stanton)
Lawson (FL) (Evans)
Lesko (Miller (WV))
Loudermilk (Fleischmann)
Mfume (Evans)
Moore (UT) (Carl)
Napolitano (Correa)
Nehls (Cawthorn)
Newman (García (IL))
Payne (Pallone)
Posey (McHenry)
Rush (Quigley)
Sires (Pallone)
Smith (NJ) (Van Drew)
Smith (WA) (Kilmer)
Speier (Thompson (CA))
Strickland (Meng)
Swalwell (Gomez)
Underwood (Casten)
Veasey (Neguse)
Wilson (FL) (Hayes)
Young (Spartz)

AMENDMENTS EN BLOC NO. 2 OFFERED BY MRS. CAROLYN B. MALONEY OF NEW YORK

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on the adoption of amendments en bloc No. 2, printed in part B of House Report 117–205, on which further proceedings were postponed and on which the yeas and nays were ordered.

The Clerk will redesignate the amendments en bloc.

The Clerk redesignated the amendments en bloc.

The SPEAKER pro tempore. The question is on the amendments en bloc offered by the gentlewoman from New York (Mrs. CAROLYN B. MALONEY).

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 211, nays 218, not voting 4, as follows:

[Roll No. 437]

YEAS—211

Aderholt
Allen
Amodei
Armstrong
Babin
Bacon
Baird
Balderson
Banks
Barr
Bentz
Bergman
Bice (OK)
Biggs
Bilirakis
Bishop (NC)
Boebert
Bost
Brooks
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Calvert
Cammack
Carey
Carl
Carter (GA)
Carter (TX)
Cawthorn
Chabot
Cheney
Cline
Cloud
Clyde
Cole
Comer
Crawford
Crenshaw
Curtis
Davidson
Davis, Rodney
DesJarlais
Diaz-Balart
Donalds
Duncan
Dunn
Ellzey
Emmer
Estes
Fallon
Feenstra
Ferguson
Fischbach
Fitzgerald
Fitzpatrick
Fleischmann
Fortenberry
Foxx
Franklin, C. Scott
Fulcher
Gaetz
Gallagher
Garbarino
Garcia (CA)
Gibbs
Gimenez
Gohmert
Gonzales, Tony
Gonzalez (OH)
Good (VA)
Gooden (TX)
Gosar
Granger
Graves (LA)
Graves (MO)
Green (TN)
Greene (GA)
Griffith
Grothman
Guest
Guthrie
Hagedorn
Harris
Harshbarger
Hartzler
Hern
Herrell
Herrera Beutler
Hice (GA)
Higgins (LA)
Hill
Hinson
Hollingsworth
Hudson
Huizenga
Issa
Jackson
Jacobs (NY)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Katko
Keller
Kelly (MS)
Kelly (PA)
Kim (CA)
Kinzinger
Kustoff
LaHood
LaMalfa
Lamborn
Latta
LaTurner
Lesko
Letlow
Long
Loudermilk
Lucas
Luetkemeyer
Mace
Malliotakis
Mann
Massie
Mast
McCarthy
McCaul
McClain
McClintock
McHenry
McKinley
Meijer
Meuser
Miller (IL)
Miller (WV)
Miller-Meeks
Moolenaar
Mooney
Moore (AL)
Moore (UT)
Mullin
Murphy (NC)
Nehls
Newhouse
Norman
Nunes
Obernolte
Owens
Palazzo
Palmer
Pence
Perry
Pfluger
Posey
Reed
Reschenthaler
Rice (SC)
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Rose
Rosendale
Rouzer
Roy
Rutherford
Salazar
Scalise
Schweikert
Scott, Austin
Sessions
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spartz
Stauber
Steel
Stefanik
Steil
Steube
Stewart
Taylor
Tenney
Thompson (PA)
Tiffany
Timmons
Turner
Upton
Valadao
Van Drew
Van Duyne
Wagner
Walberg
Walorski
Waltz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams (TX)
Wilson (SC)
Wittman
Womack
Young
Zeldin

NAYS—218

Adams
Aguilar
Allred
Arrington
Auchincloss
Axne
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bourdeaux
Bowman
Boyle, Brendan F.
Brown (MD)
Brown (OH)
Brownley
Bush
Bustos
Butterfield
Carbajal
Carson
Carter (LA)
Cartwright
Case
Casten
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Craig
Crist
Crow
Cuellar
Davids (KS)
Davis, Danny K.
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Escobar
Eshoo
Espaillat
Evans
Fletcher
Foster
Frankel, Lois
Gallego
Garamendi
Garcia (IL)
Garcia (TX)
Golden
Gomez
Gonzalez, Vicente
Gottheimer
Green, Al (TX)
Grijalva
Harder (CA)
Hayes
Higgins (NY)
Himes
Horsford
Houlahan
Hoyer
Huffman
Jackson Lee
Jacobs (CA)
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Jones
Kahele
Kaptur
Keating
Kelly (IL)
Khanna
Kildee
Kilmer
Kim (NJ)
Kind
Kirkpatrick
Krishnamoorthi
Kuster
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Leger Fernandez
Levin (CA)
Levin (MI)
Lieu
Lofgren
Lowenthal
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Manning
Matsui
McBath
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Mfume
Moore (WI)
Morelle
Moulton
Mrvan
Nadler
Napolitano
Neal
Neguse
Newman
Norcross
O'Halleran
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Payne
Perlmutter
Peters
Phillips
Pingree
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Rice (NY)
Ross
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan

Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Sewell
Sherman
Sherrill
Sires
Smith (WA)
Soto
Spanberger
Speier
Stansbury
Stanton
Stevens
Strickland
Suozzi
Swalwell
Takano
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Underwood
Vargas
Veasey
Vela
Velázquez
Wasserman Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Williams (GA)
Wilson (FL)
Yarmuth

NOT VOTING—4

Brady
Cárdenas
Murphy (FL)
Slotkin

□ 1532

Mr. TAKANO, Ms. LEE of California, and Mr. HUFFMAN changed their vote from ''yea'' to ''nay.''

Messrs. GALLAGHER, NEHLS, CAWTHORN, and Ms. VAN DUYNE changed their vote from ''nay'' to ''yea.''

So the en bloc amendments were rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. ARRINGTON. Mr. Speaker, I was reported as no, but I intended to vote yes. Had I been present, I would have voted ''yea'' on rollcall No. 437.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Baird (Walorski)
Barragán (Gallego)
Bass (Brownley)
Buchanan (Waltz)
Courtney (Hayes)
Crist (Soto)
Cuellar (Green (TX))
DeFazio (Brown (MD))
Fallon (Gooden)
Fulcher (Johnson (OH))
Garamendi (Sherman)
Granger (Cole)
Guthrie (Barr)
Hagedorn (Carl)
Hice (GA) (Greene (GA))
Higgins (NY) (Connolly)
Huffman (Levin (CA))
Kim (CA) (Pfluger)
Kirkpatrick (Stanton)
Lawson (FL) (Evans)
Lesko (Miller (WV))
Lofgren (Jeffries)
Loudermilk (Fleischmann)
Mfume (Evans)
Moore (UT) (Carl)
Napolitano (Correa)
Nehls (Cawthorn)
Newman (García (IL))
Payne (Pallone)
Posey (McHenry)
Porter (Wexton)
Reschenthaler (Meuser)
Rush (Quigley)
Sires (Pallone)
Smith (NJ) (Van Drew)
Smith (WA) (Kilmer)
Speier (Thompson (CA))
Strickland (Meng)
Swalwell (Gomez)
Underwood (Casten)
Veasey (Neguse)
Wilson (FL) (Hayes)
Young (Spartz)

AMENDMENT NO. 25 OFFERED BY MS. OCASIO-CORTEZ

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on amendment No. 25, printed in part B of House Report 117–205, on which further proceedings were postponed and on which the yeas and nays were ordered.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

The SPEAKER pro tempore. The question is on the amendment offered by the gentlewoman from New York (Ms. OCASIO-CORTEZ).

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 196, nays 233, not voting 4, as follows:

[Roll No. 438]

YEAS—196

Adams
Aguilar
Allred
Auchincloss
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bourdeaux
Bowman
Boyle, Brendan F.
Brown (MD)
Brown (OH)
Brownley
Bush
Butterfield
Carbajal
Cárdenas
Carson
Carter (LA)
Case
Casten
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Crist
Crow
Cuellar
Davids (KS)
Davis, Danny K.
Dean
DeFazio
DeGette
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Escobar
Eshoo
Espaillat
Evans
Fletcher
Foster
Frankel, Lois
Gallego
Garamendi
García (IL)
Garcia (TX)
Gomez
Gonzalez, Vicente
Green, Al (TX)
Grijalva
Harder (CA)
Hayes
Higgins (NY)
Himes
Horsford
Hoyer
Huffman
Jackson Lee
Jacobs (CA)
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Jones
Kahele
Kaptur
Keating
Kelly (IL)
Khanna
Kildee
Kilmer
Kim (NJ)
Kind
Kirkpatrick
Krishnamoorthi
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Leger Fernandez
Levin (CA)
Levin (MI)
Lieu
Lofgren
Lowenthal
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Manning
Massie
Matsui
McBath
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Mfume
Moore (WI)
Morelle
Moulton
Mrvan
Nadler
Napolitano
Neal
Neguse
Newman
Norcross
Ocasio-Cortez
Omar
Pallone
Panetta
Pascrell
Payne
Perlmutter
Peters
Phillips
Pingree
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Rice (NY)
Ross
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Scott (VA)
Scott, David
Sherman
Sires
Smith (WA)
Soto
Speier
Stansbury
Stanton
Stevens
Strickland
Suozzi
Swalwell
Takano
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Torres (NY)
Trahan
Underwood
Vargas
Veasey
Velázquez
Wasserman Schultz
Waters
Watson Coleman
Welch
Williams (GA)
Wilson (FL)
Yarmuth

NAYS—233

Aderholt
Allen
Amodei
Armstrong
Arrington
Axne
Babin
Bacon
Baird
Balderson
Banks
Barr
Bentz
Bergman
Bice (OK)
Biggs
Bilirakis
Bishop (NC)
Boebert
Bost
Brady
Brooks
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Bustos
Calvert
Cammack
Carey
Carl
Carter (GA)
Carter (TX)
Cartwright
Cawthorn
Chabot
Cheney
Cline
Cloud
Clyde
Cole
Comer
Craig
Crawford
Crenshaw
Curtis
Davidson
Davis, Rodney
Delgado
Demings
DesJarlais
Diaz-Balart
Donalds
Duncan
Dunn
Ellzey
Emmer
Estes
Fallon
Feenstra
Ferguson
Fischbach
Fitzgerald
Fitzpatrick
Fleischmann
Fortenberry
Foxx
Franklin, C. Scott
Fulcher
Gaetz
Gallagher
Garbarino
Garcia (CA)
Gibbs
Gimenez
Gohmert
Golden
Gonzales, Tony
Gonzalez (OH)
Good (VA)
Gooden (TX)
Gosar
Gottheimer
Granger
Graves (LA)
Graves (MO)
Green (TN)
Greene (GA)
Griffith
Grothman
Guest
Guthrie
Hagedorn
Harris
Harshbarger
Hartzler
Hern
Herrell
Herrera Beutler
Hice (GA)
Higgins (LA)
Hill
Hinson
Hollingsworth
Houlahan
Huizenga
Issa
Jackson
Jacobs (NY)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Katko
Keller
Kelly (MS)
Kelly (PA)
Kim (CA)
Kinzinger
Kustoff
LaHood
LaMalfa
Lamb
Lamborn
Latta
LaTurner
Lee (NV)
Lesko
Letlow
Long
Loudermilk
Lucas
Luetkemeyer
Luria
Mace
Malliotakis
Mann
Mast
McCarthy
McCaul
McClain
McClintock
McHenry
McKinley
Meijer
Meuser
Miller (IL)
Miller (WV)
Miller-Meeks
Moolenaar
Mooney
Moore (AL)
Moore (UT)
Mullin
Murphy (NC)
Newhouse
Norman
Nunes
O'Halleran
Obernolte
Owens
Palazzo
Palmer
Pappas
Pence
Perry
Pfluger
Posey
Reed
Reschenthaler
Rice (SC)
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Rose
Rosendale
Rouzer
Roy
Rutherford
Salazar
Scalise
Schrader
Schrier
Schweikert
Scott, Austin
Sessions
Sewell
Sherrill
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spanberger
Spartz
Stauber
Steel
Stefanik
Steil
Steube
Stewart
Taylor
Tenney
Thompson (PA)
Tiffany
Timmons
Trone
Turner
Upton
Valadao
Van Drew
Van Duyne
Vela
Wagner
Walberg
Walorski
Waltz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Wexton
Wild
Williams (TX)
Wilson (SC)
Wittman
Womack
Young
Zeldin

NOT VOTING—4

Hudson
Murphy (FL)
Nehls
Slotkin

□ 1543

Mr. BROWN of Maryland changed his vote from ''nay'' to ''yea.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Baird (Walorski)
Barragán (Gallego)
Bass (Brownley)
Buchanan (Waltz)
Courtney (Hayes)
Crist (Soto)
Cuellar (Green (TX))
DeFazio (Brown (MD))
Fallon (Gooden)
Fulcher (Johnson (OH))
Garamendi (Sherman)
Granger (Cole)
Guthrie (Barr)
Hagedorn (Carl)
Hice (GA) (Greene (GA))
Higgins (NY) (Connolly)
Huffman (Levin (CA))
Kim (CA) (Pfluger)
Kirkpatrick (Stanton)
Lawson (FL) (Evans)
Lesko (Miller (WV))
Lofgren (Jeffries)
Loudermilk (Fleischmann)
Mfume (Evans)
Moore (UT) (Carl)
Napolitano (Correa)
Nehls (Cawthorn)
Newman (García (IL))
Payne (Pallone)
Posey (McHenry)
Porter (Wexton)
Reschenthaler (Meuser)
Rush (Quigley)
Sires (Pallone)
Smith (NJ) (Van Drew)
Smith (WA) (Kilmer)
Speier (Thompson (CA))
Strickland (Meng)
Swalwell (Gomez)
Underwood (Casten)
Veasey (Neguse)
Wilson (FL) (Hayes)
Young (Spartz)

The SPEAKER pro tempore. Pursuant to House Resolution 838, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Rodney Davis of Illinois moves to recommit the bill H.R. 5314 to the Committee on Oversight and Reform.

The material previously referred to by Mr. RODNEY DAVIS of Illinois is as follows:

Add at the end of division C the following:

TITLE XV—REMOVAL OF NONCITIZENS FROM VOTING ROLLS

SEC. 1501. CLARIFYING AUTHORITY OF STATES TO REMOVE NONCITIZENS FROM VOTING ROLLS.

(a) AUTHORITY UNDER REGULAR REMOVAL PROGRAMS.—Section 8(a)(4) of the National Voter Registration Act of 1993 (52 U.S.C. 20507(a)(4)) is amended—

(1) by striking ''or'' at the end of subparagraph (A);

(2) by redesignating subparagraph (B) as subparagraph (C); and

(3) by inserting after subparagraph (A) the following new subparagraph:

''(B) the registrant's status as a noncitizen of the United States; or''.

(b) CONFORMING AMENDMENT RELATING TO ONGOING REMOVAL.—Section 8(c)(2)(B)(i) of such Act (52 U.S.C. 20507(c)(2)(B)(i)) is amended by striking ''(4)(A)'' and inserting ''(4)(A) or (B)''.

The SPEAKER pro tempore. Pursuant to clause 2(b) of rule XIX, the previous question is ordered on the motion to recommit.

The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 212, nays 217, not voting 4, as follows:

[Roll No. 439]

YEAS—212

Aderholt
Allen
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bentz
Bergman
Bice (OK)
Biggs
Bilirakis
Bishop (NC)
Boebert
Bost
Brady
Brooks
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Calvert
Cammack
Carey
Carl
Carter (GA)
Carter (TX)
Cawthorn
Chabot
Cheney
Cline
Cloud
Clyde
Cole
Comer
Crawford
Crenshaw
Curtis
Davidson
Davis, Rodney
DesJarlais
Diaz-Balart
Donalds
Duncan
Dunn
Ellzey
Emmer
Estes
Fallon
Feenstra
Ferguson
Fischbach
Fitzgerald
Fitzpatrick
Fleischmann
Foxx
Franklin, C. Scott
Fulcher
Gaetz
Gallagher
Garbarino
Garcia (CA)
Gibbs
Gimenez
Gohmert
Gonzales, Tony
Gonzalez (OH)
Good (VA)
Gooden (TX)
Gosar
Granger
Graves (LA)
Graves (MO)
Green (TN)
Greene (GA)
Griffith
Grothman
Guest
Guthrie
Hagedorn
Harris
Harshbarger
Hartzler
Hern
Herrell
Herrera Beutler
Hice (GA)
Higgins (LA)
Hill
Hinson
Hollingsworth
Hudson
Huizenga
Issa
Jackson
Jacobs (NY)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Katko
Keller
Kelly (MS)
Kelly (PA)
Kim (CA)
Kinzinger
Kustoff
LaHood
LaMalfa
Lamborn
Latta
LaTurner
Lesko
Letlow
Long
Loudermilk
Lucas
Luetkemeyer
Mace
Malliotakis
Mann
Massie
Mast
McCarthy
McCaul
McClain
McClintock
McHenry
McKinley
Meijer
Meuser
Miller (IL)
Miller (WV)
Miller-Meeks
Moolenaar
Mooney
Moore (AL)
Moore (UT)
Mullin
Murphy (NC)
Nehls
Newhouse
Norman
Nunes
Obernolte
Owens
Palazzo
Palmer
Pence
Perry
Pfluger
Posey
Reed
Reschenthaler
Rice (SC)
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Rose
Rosendale
Rouzer
Roy
Rutherford
Salazar
Scalise
Schweikert
Scott, Austin
Sessions
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spartz
Stauber
Steel
Stefanik
Steil
Steube
Stewart
Taylor
Tenney
Thompson (PA)
Tiffany
Timmons
Turner
Upton
Valadao
Van Drew
Van Duyne
Wagner
Walberg
Walorski
Waltz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams (TX)
Wilson (SC)
Wittman
Womack
Young
Zeldin

NAYS—217

Adams
Aguilar
Allred
Auchincloss
Axne
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bourdeaux
Bowman
Boyle, Brendan F.
Brown (MD)
Brown (OH)
Brownley
Bush
Bustos
Butterfield
Carbajal
Cárdenas
Carson
Carter (LA)
Cartwright
Case
Casten
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Craig
Crist
Crow
Cuellar
Davids (KS)
Davis, Danny K.
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Escobar
Eshoo
Espaillat
Evans
Fletcher
Foster
Frankel, Lois
Gallego
Garamendi
García (IL)
Garcia (TX)
Golden
Gomez
Gonzalez, Vicente
Gottheimer
Green, Al (TX)
Grijalva
Harder (CA)
Hayes
Higgins (NY)
Himes
Horsford
Houlahan
Hoyer
Huffman
Jackson Lee
Jacobs (CA)
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Jones
Kahele
Kaptur
Keating
Kelly (IL)
Khanna
Kildee
Kilmer
Kim (NJ)
Kind
Kirkpatrick
Krishnamoorthi
Kuster
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Leger Fernandez
Levin (CA)
Levin (MI)
Lieu
Lofgren
Lowenthal
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Manning
Matsui
McBath
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Mfume
Moore (WI)
Morelle
Moulton
Mrvan
Nadler
Napolitano
Neal
Neguse
Newman
Norcross
O'Halleran
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Payne
Perlmutter
Peters
Phillips
Pingree
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Rice (NY)
Ross
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Sewell
Sherman
Sherrill
Sires
Smith (WA)
Soto
Spanberger
Speier
Stansbury
Stanton
Stevens
Strickland
Suozzi
Swalwell
Takano
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Vargas
Veasey
Vela
Velázquez
Wasserman Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Williams (GA)
Wilson (FL)
Yarmuth

NOT VOTING—4

Fortenberry
Murphy (FL)
Slotkin
Underwood

□ 1556

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated against:

Ms. UNDERWOOD. Mr. Speaker, had I been present, I would have voted "nay" on rollcall No. 439.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Baird (Walorski)
Barragán (Gallego)
Bass (Brownley)
Buchanan (Waltz)
Courtney (Hayes)
Crist (Soto)
Cuellar (Green (TX))
DeFazio (Brown (MD))
Fallon (Gooden)
Fulcher (Johnson (OH))
Garamendi (Sherman)
Granger (Cole)
Guthrie (Barr)
Hagedorn (Carl)
Hice (GA) (Greene (GA))
Higgins (NY) (Connolly)
Huffman (Levin (CA))
Kim (CA) (Pfluger)
Kirkpatrick (Stanton)
Lawson (FL) (Evans)
Lesko (Miller (WV))
Lofgren (Jeffries)
Loudermilk (Fleischmann)
Mfume (Evans)
Moore (UT) (Carl)
Napolitano (Correa)
Nehls (Cawthorn)
Newman (García (IL))
Payne (Pallone)
Posey (McHenry)
Porter (Wexton)
Reschenthaler (Meuser)
Rush (Quigley)
Sires (Pallone)
Smith (NJ) (Van Drew)
Smith (WA) (Kilmer)
Speier (Thompson (CA))
Strickland (Meng)
Swalwell (Gomez)
Veasey (Neguse)
Wilson (FL) (Hayes)
Young (Spartz)

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. LATURNER. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 220, nays 208, not voting 6, as follows:

[Roll No. 440]

YEAS—220

Adams
Aguilar
Allred
Auchincloss
Axne
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bourdeaux
Bowman
Boyle, Brendan F.
Brown (MD)
Brown (OH)
Brownley
Bush
Bustos
Butterfield
Carbajal
Cárdenas
Carson
Carter (LA)
Cartwright
Case

Casten
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Craig
Crist
Crow
Cuellar
Davids (KS)
Davis, Danny K.
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Escobar
Eshoo
Espaillat
Evans
Fletcher
Foster
Frankel, Lois
Gallego
Garamendi
García (IL)
Garcia (TX)
Golden
Gomez
Gonzalez, Vicente
Gottheimer
Green, Al (TX)
Grijalva
Harder (CA)
Hayes
Higgins (NY)
Himes
Horsford
Houlahan
Hoyer
Huffman
Jackson Lee
Jacobs (CA)
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Jones
Kahele
Kaptur
Keating
Kelly (IL)
Khanna
Kildee
Kilmer
Kim (NJ)
Kind
Kinzinger
Kirkpatrick
Krishnamoorthi
Kuster
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Leger Fernandez
Levin (CA)
Levin (MI)
Lieu
Lofgren
Lowenthal
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Manning
Matsui
McBath
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Mfume
Moore (WI)
Morelle
Moulton
Mrvan
Nadler
Napolitano
Neal
Neguse
Newman
Norcross
O'Halleran
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Payne
Pelosi
Perlmutter
Peters
Phillips
Pingree
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Rice (NY)
Ross
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Sewell
Sherman
Sherrill
Sires
Smith (WA)
Soto
Spanberger
Speier
Stansbury
Stanton
Stevens
Strickland
Suozzi
Swalwell
Takano
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Underwood
Vargas
Veasey
Vela
Velázquez
Wasserman Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Williams (GA)
Wilson (FL)
Yarmuth

NAYS—208

Aderholt
Allen
Amodei
Armstrong
Arrington
Bacon
Baird
Balderson
Banks
Barr
Bentz
Bergman
Bice (OK)
Biggs
Bilirakis
Bishop (NC)
Boebert
Bost
Brady
Brooks
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Calvert
Cammack
Carey
Carl
Carter (GA)
Carter (TX)
Cawthorn
Chabot
Cheney
Cline
Cloud
Clyde
Cole
Comer
Crawford
Crenshaw
Curtis
Davidson
Davis, Rodney
DesJarlais
Diaz-Balart
Donalds
Duncan
Dunn
Ellzey
Emmer
Estes
Fallon
Feenstra
Ferguson
Fischbach
Fitzgerald
Fitzpatrick
Fleischmann
Foxx
Franklin, C. Scott
Fulcher
Gaetz
Gallagher
Garbarino
Garcia (CA)
Gibbs
Gimenez
Gohmert
Gonzales, Tony
Gonzalez (OH)
Good (VA)
Gooden (TX)
Gosar
Granger
Graves (LA)
Graves (MO)
Greene (GA)
Griffith
Grothman
Guest
Guthrie
Hagedorn
Harris
Harshbarger
Hartzler
Hern
Herrell
Herrera Beutler
Hice (GA)
Hill
Hinson
Hollingsworth
Hudson
Huizenga
Issa
Jackson
Jacobs (NY)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Katko
Keller
Kelly (MS)
Kelly (PA)
Kim (CA)
Kustoff
LaHood
LaMalfa
Lamborn
Latta
LaTurner
Lesko
Letlow
Long
Loudermilk
Lucas
Luetkemeyer
Mace
Malliotakis
Mann
Massie
Mast
McCarthy
McCaul
McClain
McClintock
McHenry
McKinley
Meijer
Meuser
Miller (IL)
Miller (WV)
Miller-Meeks
Moolenaar
Mooney
Moore (AL)
Moore (UT)
Mullin
Murphy (NC)
Nehls
Newhouse
Norman
Nunes
Obernolte
Owens
Palazzo
Palmer
Pence
Perry
Pfluger
Posey
Reed
Reschenthaler
Rice (SC)
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Rose
Rosendale
Rouzer
Roy
Rutherford
Salazar
Scalise
Schweikert
Scott, Austin
Sessions
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spartz
Stauber
Steel
Stefanik
Steil
Steube
Stewart
Taylor
Tenney
Thompson (PA)
Tiffany
Timmons
Turner
Upton
Valadao
Van Drew
Van Duyne
Wagner
Walberg
Walorski
Waltz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams (TX)
Wilson (SC)
Wittman
Womack
Young
Zeldin

NOT VOTING—6

Babin
Fortenberry
Green (TN)
Higgins (LA)
Murphy (FL)
Slotkin

□ 1607

Ms. WATERS changed her vote from ''nay'' to ''yea.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Baird (Walorski)
Barragán (Gallego)
Bass (Brownley)
Buchanan (Waltz)
Courtney (Hayes)
Crist (Soto)
Cuellar (Green (TX))
Fallon (Gooden)
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Granger (Cole)
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Lawson (FL) (Evans)
Lesko (Miller (WV))
Lofgren (Jeffries)
Loudermilk (Fleischmann)
Mfume (Evans)
Moore (UT) (Carl)
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Posey (McHenry)
Porter (Wexton)
Reschenthaler (Meuser)
Rush (Quigley)
Sires (Pallone)
Smith (NJ) (Van Drew)
Smith (WA) (Kilmer)
Speier (Thompson (CA))
Strickland (Meng)
Swalwell (Gomez)
Underwood (Casten)
Veasey (Neguse)
Wilson (FL) (Hayes)
Young (Spartz)

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Byrd, one of its clerks, announced that the Senate has passed bills of the following title in which the concurrence of the House is requested:

S. 693. An Act to amend title 5, United States Code, to provide for the halt in pension payments for Members of Congress sentenced for certain offenses, and for othe purposes.

S. 2293. An Act to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide certain employment rights to reservists of the Federal Emergency Management Agency, and for other purposes.

S. 2796. An Act to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide for the eligibility of rural community response pilot programs for funding under the Comprehensive Opioid Abuse Grant Program, and for other purposes.

The message also announced that the Senate has agreed to a joint resolution of the following title in which the concurrence of the House is requested:

S.J. Res. 29. Joint Resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Labor relating to ''COVID–19 Vacinnation and Testing; Emergency Temporary Standard''.

MOMENT OF SILENCE IN HONOR OF THE LIFE AND SERVICE OF BARBARA-ROSE COLLINS

(Mrs. LAWRENCE asked and was given permission to address the House for 1 minute.)

Mrs. LAWRENCE. Madam Speaker, today, my Michigan colleagues and members of the Congressional Black Caucus rise in honor of the life and service of Congresswoman Barbara-Rose Collins. She dedicated her life to community and broke countless barriers.

Madam Speaker, I ask that everyone rise for a moment of silence in honor of Congresswoman Barbara-Rose Collins.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 5314, PROTECTING OUR DEMOCRACY ACT

Mr. RASKIN. Madam Speaker, I ask unanimous consent that, in the engrossment of H.R. 5314, the Clerk be authorized to correct section numbers, punctuation, spelling, and cross-references, and to make such other technical and conforming changes as may be necessary to reflect the actions of the House.

The SPEAKER pro tempore (Ms. KAPTUR). Is there objection to the request of the gentleman from Maryland?

There was no objection.

GUN VIOLENCE IN AMERICA

(Ms. DEAN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DEAN. Madam Speaker, another week, another week of gun deaths.

No matter where you live—Oxford, Michigan; Philadelphia, Pennsylvania; or, most recently, in my district, Pottstown—no matter where you are—a school, a place of worship, or your parked car—gun violence hunts down far too many innocent Americans and, quite frankly, can find any one of us.

Our inaction on gun safety, ghost guns, and gun violence has created a tragic version of Groundhog Day. Too often we and our children wake up to another headline about senseless, needless gun violence; one slaughter bleeding into the next.